

Organizing for Reform:
The Democratic Study Group and
the Role of Party Factions in Driving Institutional Change in the House of Representatives

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List of Notations

| | |
|----------------------------------|-----|
| Democratic Research Organization | DRO |
| Democratic Study Group | DSG |
| Congressional Black Caucus | CBC |
| House Freedom Caucus | HFC |
| Republican Study Committee | RSC |
| United Democrats of Congress | UDC |

1 | Institutional Change in the House of Representatives

Organized factions of individuals united by some common interest or cause have been a dominant feature of American politics since before the signing of the Constitution. Formal political parties may not have been present in early American history, but the founders were keenly aware of the potential role that well-organized interests might play in shaping policy outcomes in government. The politics of faction was at the forefront of the founders' careful efforts to shape early American political institutions. In arguably the most well-known *Federalist Paper* (No. 10), James Madison advocated that while factions were an inevitable feature of a democratic nation, their "harmful" or "wicked" effects could be controlled by a set of institutional processes and structures that would limit their influence, especially over policy outcomes. Nearly all governmental institutions were designed (and subsequently evolved) to make it difficult – though not impossible – for new groups or factions to gain significant power. The potential permeability of the U.S. Congress to factions was at the heart of these questions about institutional design, and the balance between minority and majority rights. Cognizant that factions would continuously develop and emerge in American politics, the founders (and other political elites) structured institutional rules and processes to ensure that minority factions would not supplant majority opinion, nor would they gain enough power to change the very rules and processes limiting their influence.¹ And throughout the historical and contemporary Congress,

¹ Of course, it is important to note that the founders' conception of majority and minority opinion was very narrow – inclusive of white, male landowners only. While the wealth of American "citizens" varied during this period, their interests were not especially diverse. Moreover, the founders and other early political leaders designed institutions to limit not only minority-driven change, but majority-driven change too. If majority opinion shifted on monetary policy, for example, then institutional rules and norms facilitated a slow incorporation of these views into concrete policy outcomes in government, rather than an immediate change to the status quo. Institutions are inherently conservative, fostering a slow, years-long process of change.

the often-junior members of new factions have struggled to achieve official leadership positions, and the adoption of policies favorable to their members and constituents.

The development of the two-party system reinforced both the propensity for Americans to form and join groups, and for political parties to serve as the primary outlet through which those groups emerge (Duverger 1954; de Tocqueville 1865). Indeed, while Madison may not have foreseen the pivotal role factions within political parties would play over the next two hundred years of American history in shaping the internal structures of Congress, it is unlikely he would be surprised. If Congress, and in particular, the majoritarian House of Representatives, was designed to limit the power of new factions to influence majority decision-making, strategic political actors in factions have an incentive to devise ways to change the internal structure, organization and byways in the legislature to better reflect their interests. And at numerous points in congressional history – in the 1820s, the 1860s, the 1920s, and most recently, in the period during the civil rights era (the 1950s-1970s), key institutional reforms were undertaken amidst the rise of a new faction of interests (Schickler 2001; Jenkins and Stewart 2007; Rohde 1991). In each of these cases, institutional reform led to significant leadership and policy changes in Congress as well (Jenkins and Stewart 2007) – an unsurprising consequence given the founders' concerns about the role of organized interests in American politics.

The terms of institutional change in Congress are largely unwritten. The U.S. Constitution spends a considerable amount of its precious page space prescribing the power, responsibilities, and limitations of the Congress – significantly more than for any other branch of government. But it does not provide a mechanism to ensure the legislative branch is running effectively and efficiently, or responding to the needs of new constituency groups. And nowhere does it require that once a group comprises a certain size or distribution of preferences should Congress adapt internal institutions to further their interests. Most major legislation is written

with a five-year timetable for re-authorization; no similar mechanism of self-reflection exists for congressional organization. The rarity of major institutional change in Congress reflects these unwritten norms and requirements. And yet, historically, Congress has succeeded in gradually and incrementally adopting new rules and procedures to incorporate and promote the representation of new groups in prevailing electoral coalitions, including most notably, women and African-Americans. The emergence of new interests inside and outside of Congress appears to be the rare endogenous and exogenous force necessary to galvanize members to change the static institutions of Congress.

For example, in 1961 and 1963, the House of Representatives expanded the Rules Committee from 12 to 15 members to incorporate the preferences of the growing liberal voters and their representatives in Congress.² The expansion provided for a liberal majority, and prevented the committee's conservative chairman, Rep. Howard J. Smith (D-VA), from single-handedly blocking congressional consideration of civil rights legislation and other liberal bills he personally opposed. The organization of liberal Democrats – known as the Democratic Study Group, or DSG – originally proposed a variation of this reform in 1958. The Rules Committee expansion was necessary to promote the consideration of legislation symbolically and substantively important to the growing base of liberal and African-American voters in the Democratic party. This group-driven change is merely one example of the institutions of Congress adapting to represent the views of an emerging constituency group and their representatives.

Extensive political science research on the legislative branch throughout the twentieth century and beyond has been driven by questions about Congress's institutional and policy

² The Rules Committee sets the terms of floor debate in the House of Representatives.

responsiveness to new interests. How does Congress adapt to the emergence of new groups? Do policy goals motivate members to support institutional change in Congress? How do rules and procedures change to further new policy goals? The historic reforms of the 1970s in the House of Representatives, which dramatically redistributed power between committee chairs, party leaders, and rank and file members, fostered a robust subfield on these questions. Nearly all research based at least in part on this significant period of legislative change concluded that the Congress is not immune to the emergence of new groups or interests in American politics. On the contrary, institutional change and group interests are irrevocably linked.

In this chapter, I examine how and why the emergence of new groups of likeminded members serve as the primary “agents of change” in the U.S. Congress, and specifically in the House of Representatives.³ In so doing, a puzzle emerges in political science approaches to understanding the dynamics of institutional change and the role, agency, and responsibility of new factions or groups in leading challenges to the status quo. New groups emerge more often than Congress undergoes major institutional change. Why are some groups empowered to successfully force change in Congress, while other groups struggle and often fail to do so? Prevailing explanations of change predicated on the impact of group size and internal cohesiveness in empowering groups falls short in answering this question. I propose a moderating theory of factional-driven institutional change that accounts for the role of organization in empowering groups to successfully challenge congressional institutions. The theory is tested here against the most recent case of grassroots, factional-driven change in

³ This project focuses on the House of Representatives, but the Senate provides an obvious and undoubtedly important future extension of this research. There are many reasons to expect that the theory offered here about the role of organization in empowering group influence will not be upheld within the Senate – simply put, many of the hurdles to minority power, group influence, and junior member participation are not present in the Senate. However, anecdotal evidence uncovered in the course of this project provides an alternative view. Junior senators faced many of the same hurdles to influence – committee chairs opposed to their policy goals, informational asymmetries, etc. (see chapter 7 for more information).

Congress – the case of liberal Democrats and the 1970s reform era in the House. In this chapter, I review previous work on institutional change, explain my theoretical and empirical contribution, and conclude with a brief introduction to the organization of liberal Democrats in the House, the Democratic Study Group (DSG), and an outline of the chapters to follow.

Institutional Approaches to Change in Congress

The close temporal and spatial relationship between the emergence of new factions in Congress and the adoption of major institutional changes has led many scholars to conclude that these two phenomena are causally related (Rohde 1991; Schickler 2001; Wright 2000; Aldrich 1995; Cox and McCubbins 1993; Schickler, McGhee and Sides 2003). In these accounts, parties are comprised of certain groups (or factions) with overlapping goals, and parties are motivated to pursue these overlapping goals. Institutional change emerges when the internal party composition shifts, new incentives develop, and party structures need to adapt to facilitate the pursuit of these new overlapping goals. These theoretical accounts of institutional change generally fall into three schools of thought based on their assessment of the internal composition and motivations of party elites. In nearly all political science theories of change however, the incentives and motivations of legislators remain paramount, and processes of change are usually overlooked.

The first school analyzes institutional change in Congress through the lens of ideology and a rational choice paradigm. Conditional party government theory (CPG) is the most well-known of theories in this literature (Rohde 1991). CPG uses changes in congressional rules and procedures as a framework for understanding party strength over time in the House, and suggests that centralized party power is “conditional” on the relative ideological homogeneity of the majority party. Parties have an incentive to centralize power (such as empowering the Speaker to make appointments to the Rules Committee) within the leadership when party members generally

agree on policy matters; they have an incentive to decentralize power (to committee chairs) when they do not agree on policy. Rohde (1991) and Rohde and Aldrich (2000) argue that the growth of strong, centralized parties through internally passed reforms is the result of increased ideological homogeneity within both parties. Neither party groups nor factions play a large explicit role, rather the aggregate distribution of preferences within the party is most important.

The second school of thought (DiSalvo 2012; Wright 2000; Schickler 2001; Schickler, McGhee and Sides 2003) places group or factional interests at the center of institutional change (though electoral goals remain important). Wright (2000) relies on interest group theory to argue that rules changes promoting specific policy outcomes are the result of pressure from organized interests. Party elites observe the prevailing preferences of “intense policy demanders” and make strategic decisions in anticipation of these preferences (a theory expanded on in Cohen et al. 2007). Schickler’s *Disjointed Pluralism* (2001) builds on accounts that emphasize the emergence of new groups (termed “interests”) in explaining congressional reform over time, but provides an explicit role for strategic decision-making and leadership in his model of change. Schickler argues that reform coalitions are often comprised of a diverse set of interests with some underlying shared goal, and are often quite temporary. Rule and procedural reform is therefore usually incremental and piecemeal, accomplished through changes that are layered onto pre-existing institutional structures. While all large groups struggle to sustain long-term coordinated action, the diversity of interests inherent to most reform coalitions limit the extent and speed through which institutional change develops in Congress. Schickler, McGhee and Sides (2003) build on this work and explain individual-level support for the passage of reform. While prior research emphasized group size and policy goals in driving reform, Schickler and colleagues marshal new data on member preferences for reform to account for the role of power and ambition in driving institutional change. Their work suggests that a large influx of junior

members may spur rules changes, especially changes to increase the participation of rank and file members.

In recent years, a third set of theories (Cox and McCubbins 1993, 2005; DiSalvo 2012) developed to bridge these two schools of thought on the drivers of institutional change and the role of party factions. Cox and McCubbins (1993, 2005) argue that institutional rules provide an incentive for party members to work together and delegate power to a central authority (party leaders and committee chairs). While the Cartel Model does not seek to explain historical procedural change to the extent of other theories, Cox and McCubbins argue that when the relationship between rank and file members and the central authority changes, ideologically-based groups within the party are responsible for leading the charge. The reforms of the 1970s, for example, are a “predictable consequence of the shrinkage and liberalization of the southern wing of the [Democratic] party” (1993, 278). DiSalvo (2012) builds on the Cartel Model framework to argue that intraparty competition between factions, or a single faction and the rest of the party, fuels changes to the party’s ideological coalition, leadership, and “brand name.” Here the congressional literature’s emphasis on power battles between party and committee leaders, and the rank and file, is supplanted with a focus on the shifting power of factions within the party. It is the competition between groups (each rooted in their own ideology) that is fundamental to understanding party change over time.

All three schools of thought on the drivers of institutional change in Congress suggest that the emergence of new groups and changing ideological coalitions within parties set into motion a series of conflicts and/or incentive structure changes. These changes precipitate the adoption of necessary compensatory institutional changes to ensure policy output reflects new preferences. The drive to fulfill power, electoral, and policy goals – in varying degrees of importance – underscore all members’ incentives and motivations. Research on historical reforms

has revealed significant evidence in support of a causal relationship between the emergence of new groups, and rule and procedural changes in Congress (especially Schickler 2001, Rohde 1991; and Schickler, McGhee and Sides 2003). And yet, the historical success of factions at precipitating major procedural, policy, and leadership change in a stagnant institution like Congress reveals a significant puzzle in our understanding of broader processes of institutional change.

New groups emerge in political parties far more often than the institutions of Congress undergo major reform. In the past one hundred years, Congress has only organized three Joint Committees on the Organization of Congress (1945-1947, 1965-1966, and 1993-1994) to study and propose changes to the structure of the legislative branch. And despite numerous other demographic, ideological, and geographic changes in both parties' electoral coalitions, the most significant rules changes in the House can be isolated to two specific time periods: 1970-1975 (amidst Nixon's impeachment and the election of the Watergate Babies) and 1995 (in response to Republicans' takeover of the House after 40 years in the minority). If the 1970s reforms gradually gave rise to strong, centralized party power, Speaker Newt Gingrich's (R-GA)'s swift turn towards leadership consolidation in 1995 largely did away with any pretense of reform as the product of careful majority party study.⁴ Even the most cursory review of recent congressional history would reveal the emergence of numerous other factions and groups without corresponding rules changes. In recent years, the rise of Hispanic Americans as a critical voting bloc, enthusiastically fought over by both Democrats and Republicans alike, has not spurred changes to congressional rules that would promote immigration reform – a policy goal of particular interest to that group. And the emergence of the “Tea Party” in the Republican Party in 2010 did not lead to major rule and procedural changes to promote their policy goals; if anything, Republican

⁴ See chapter 8 for more information about the 1995 Republican reforms.

leaders often used existing rules to suppress Tea Party legislation. These dynamics suggest that there are hurdles to change that not all groups can successfully overcome.

The assumptions underlying group-based models of change rarely comport with the realities of group organization and coordination, the legislative environment and the slow pace of institutional change, or factional politics. Why should we automatically expect the members of factions to recognize the benefits of working together – and choose to do so – when all members regularly struggle to do this? In theory, legislative parties solve the collective action problem inherent to any large group (Olson 1965) by controlling the flow of selective benefits to contributing members of the party. Committee assignments, campaign funds, floor votes on legislation, plum office space – these benefits all flow from an agreement among party members that the party will subsidize pursuit of their goals if they participate and contribute to the pursuit of shared party goals (Cox and McCubbins 1993, 2005; Peabody 1967; Pearson 2015). Factions in Congress do not have the same inherent leverage over their members or natural ideological allies. Factional leaders cannot simply force their allies to work with them, and the selective benefits necessary to motivate participation are not inherent to any large group, no matter their internal cohesion. Coordination between ideological allies and partisans doesn't simply happen. And the assumption that groups will automatically work together to reform Congress when their interests are at stake obscures how difficult reform actually is to achieve.

Recent research outside of the spatial, group-driven schools of thought underscores these difficulties, and highlights the role of overlapping political, economic, and social phenomena in explaining long-term institutional change. This research suggests that the struggle between institutions, as well as cultural and historical developments outside the legislative branch, explain shifts in internal institutional rules and procedures. Historian Julian Zelizer (2004), for example, critiques the political science literature for its focus on member motivations without an

appreciation for the difficult, slow-moving dynamics of institutional change. Zelizer argues that change to how government works is the result of a “slow reconfiguration of the relationship between different political institutions as well as on shifts in the national culture” (2004, 3). The “protracted struggle” between these institutions (including the executive branch) and changes outside of Congress leads to significant internal restructuring of rules and procedures.

Polsby’s (2003) account of recent congressional history highlights one of these cultural shifts, which links electoral and demographic developments in the American south (which in turn shaped the electoral and policy goals of the Democratic and Republican parties) to a technological development entirely out of the hands of members of Congress. The rise and spread of air conditioning, Polsby argues, precipitated a historic migration of (largely white) Republicans to the south, as well as corresponding economic changes, including the spread of manufacturing jobs to the south. Gradually, these changes shaped the ideological and electoral coalitions in both parties; in turn, the institutions of Congress adopted compensatory changes to reflect new electoral and policy aims.

Polsby’s account (along with Wright (2000) and others) suggests that institutional change is driven by, in spatial terms, exogenous factors. But recent work by Jenkins and Stewart (2007) on the rise and development of the Speakership in the House argues that institutional change is uniquely endogenous (though their account does not foreclose the role of external factors). Jenkins and Stewart argue that the procedural cartel (Cox and McCubbins 1993, 2005) considered critical by most scholars to contemporary agenda-setting processes was preceded by the development of an “organizational cartel.” Before the majority party could monopolize agenda-setting in Congress, they first had to monopolize organizational power in Congress (in other words, the power to decide who has power). Most research on reform does not distinguish between procedural control over the legislative process and organizational control over the

leadership offices of the legislature. Jenkins and Stewart's close examination of the historical development of the Speaker and other leadership offices reveal that political parties developed organizational control long before they developed agenda control, suggesting that organization empowered party coalitions to pursue their mutual legislative goals.

The diverse theoretical accounts of congressional reform cited above reveal a significant puzzle in theories of institutional change in Congress. If the emergence of new groups or elections reveal apparent shifts in public opinion, why does Congress so rarely adopt rules changes? Why do so many groups fail? Existing theories of reform that proffer new groups as the singular agents of change in Congress often fail to appreciate the many, significant hurdles that confront groups desiring to change the status quo (though see Schickler 2001, Stewart and Jenkins 2007, and Zelizer 2004 for an exception). If groups shape the capacity of congressional institutions to change – as so many assert – so too do congressional institutions shape the capacity of groups. Congress was designed to make it difficult for groups to develop a majority or gain enough power to significantly influence the institution. Over time, it has evolved to make it nearly impossible.

Expectations of Failure: Hurdles to Change in Congress

When a new faction emerges in the House to call for change to the status quo, close observers of Congress have every reason to expect the group to fail in their efforts over the long-term.⁵ The founders designed the institution of Congress to make it difficult for new groups to

⁵ In most cases, it is not analytically or theoretically useful to categorize the “success” and “failure” of groups in stark, dichotomous terms. Even if a group “fails” in achieving passage of their policy agenda, they may succeed in accomplishing a compromise between their preferred position and the status quo, or they may succeed in “softening” the conditions necessary for consideration of their goals in the future. Failure can also be understood in other terms, including local vs. national (or legislative vs. judicial) change, and short vs. long-term change. Here I define failure broadly to denote those cases where factions of members united by some shared agenda fail to achieve that agenda in their party in Congress over a long-term period.

gain enough power to effect substantial change to the processes governing the institution or relevant policy output. And over time, Congress has evolved to make it even more difficult for minority factions and groups representing marginalized interests to achieve consideration of their policy goals. The majoritarian House of Representatives places numerous hurdles before groups desiring to challenge the status quo. In conventional models of institutional change, the number and magnitude of the hurdles confronting groups and individuals pushing for procedural, policy, and leadership change in Congress are often obscured. Moreover, hurdles to minority representation are compounded by the fact that new or changing policy preferences are most likely to emerge among new and junior members in Congress – a group that is least likely to have access to the formal levers of power, even in the post-reform House. Indeed, these barriers underscore why grassroots-based change efforts in the House are so rare, and suggest that most factions will fail in their efforts to achieve their goals over the long-term.⁶ Change is not inevitable, and absent an understanding of these barriers – and how groups historically have overcome them – strategic pathways to repairing the “broken branch” remain obscured.

The democratic ideal of Congress as a legislative body that develops and marshals policy expertise among many members to promote quality legislation has always been just that – an ideal. Historically, congressional rules and norms have promoted the participation, power and leadership of the few. New groups struggle to break into this existing cycle of participation – if they try to challenge it, we have every reason to expect them to fail. Below, I explain the specific hurdles confronting factions in Congress.

Seniority Norms. Arguably the most persistent challenge to factional interests throughout much of the twentieth century is the seniority system (Polsby 2004). Seniority was the largely

⁶ Most reform efforts in the House are initiated and led by party leaders, including recent efforts by Speakers Newt Gingrich (R-GA) and Dennis Hastert (R-IL), and Nancy Pelosi (D-CA).

unwritten norm that committees would be headed by the member with the most years of service on the committee. Accountable to only their own constituents back home, the seniority system provided no mechanism to force out chairs (or ranking members) unrepresentative of, or unaccountable to their party, nor could the party challenge members too old to fulfill the responsibilities of the chair. The growth of careerism in the House throughout the twentieth century led to and reinforced these patterns of leadership (Hibbing 1991). As a result, the central locus of policy leadership and power was unobtainable to not only junior members, but many mid-seniority career members. And over time, incumbent chairs – and those next in line – had enough of a stake in the system that they had little reason to accept or support challenges to their own (anticipated) power.

Majority Status. Majority party status – or the pursuit of majority party status – provides a strong incentive to suppress factional interests within legislative parties. Party leaders in particular, are often among the most significant agents of opposition to new factions and individual members desiring to improve representation of their interests in legislation, or to push for institutional reform to ease the consideration and passage of legislation reflective of their interests. Historically, party leaders have been far more moderate – ideological “middlemen” (Harris and Nelson 2008) – than the rest of their party. While moderate leaders are logical choices for parties with deep internal cleavages, they often make procedural and policy change within parties extraordinarily difficult. Leaders desiring to maintain their coalition of support within the party must tread carefully and avoid angering any one specific faction within the party. Speaker Sam Rayburn’s (D-TX) reticence to support any major challenges to committee chairs throughout the late 1950s reflects the careful balance he strived to maintain between southern conservatives, western and mid-western liberals, and urban, big machine Democrats (Polsby 2004). Majority party leaders (the Majority Leader in consultation with the Speaker) offer the

resolution setting the rules at the start of each Congress, and have significant prerogative to construct the rules to maintain – rather than challenge – the existing party coalition.

Moreover, Congress is designed to make major leadership turnover in Congress exceedingly rare. frequent leadership turnover signals to the public (and the media) an instability within the party, which hinders majority party status (or the pursuit of majority party status) (Peabody 1967; Cox and McCubbins 1993). Incumbent party leaders have a number of advantages that make it difficult for their fellow partisans to challenge them, including the ability to “grant favors, create obligations, and build credit,” in addition to the ability to sanction members by “withholding of patronage and the vetoing of committee assignments” (Peabody 1967, 678). Factions confronted an institutional environment fraught with potential risks if they choose to challenge leaders. And throughout the twentieth century, many of these self-reinforcing advantages extended to committee leaders as well. In 1971, for example, District Committee Chair John L. McMillian (D-SC) punished two members of his committee, Reps. Donald M. Fraser (D-MN) and Andrew Jacob Jr. (D-IN), for their efforts to bypass his seniority to install second-ranking committee member Charlie Diggs (D-MI) as chairman. In response, McMillian punished both members for their challenge to his seniority by disregarding their own. 6th-ranking Fraser and 7th-ranking Jacobs were next in line for subcommittee chairmanships on the District Committee.

Access to information. The overlapping historical phenomena of committee government and seniority norms created stark informational asymmetries between junior and senior members, and committee chairs and rank and file members. The Democratic leadership did not develop their own independent legislative research or information services until the party lost their majority in 1994 – all legislative information stemmed from the committee system. Committee reports were generally too long for members not on the committee to read prior to a vote (let

alone members who actually served on the committee), were too legalistic, and tended to suppress key divisions or points of controversy within the committee itself. Junior members were especially reliant on committee reports for information about legislation because they did not have committee or subcommittee staffs of their own to conduct their own independent research.

The (real or perceived) disorganization of the parliamentarian's office posed another informational disadvantage for junior members. The official compilation of congressional precedents was not updated between 1946 and 1971, and most precedents were stored on loose leaf paper (in single copy bound books) in the parliamentarian's office. If members wanted to craft complicated legislative strategy – perhaps on a bill that might need to bypass its original committee of jurisdiction – they would have to go to the parliamentarian's office in-person to research past precedent. This created an advantage for senior members with better firsthand knowledge and experience with precedent – a fact that was acknowledged by former Parliamentarian Lewis Deschler in the foreword to what became known as Deschler's Precedents: “In the past, *the older and more experienced members have held an obvious advantage over younger Members* who had not yet mastered the necessary parliamentary skills” (1971, IX-X, emphasis added).

Party meetings. Party bylaws pose another frequent hurdle to change. Historically, the two parties were procedural coalitions that met once a Congress to elect their leaders and cast a perfunctory vote on the rules package arranged by the majority leadership. There was no regular meeting requirement within the party. Attendance has never been mandated, and often drops propitiously after votes for leadership races are cast. In theory, these once-a-Congress meetings provided an opportunity for members to engage with one and other, and party and committee leaders, and discuss potential changes to House rules. However, the agenda was set by the leadership and the meeting abruptly ended after the votes were cast on leadership races and the

rules package. After the organizing meeting in January, there were no formal opportunities for rank and file members to interact with and question the inner structure or policies of their party.

Rules enforcement. Party leaders are granted significant prerogative to determine how (and sometimes whether to) enforce party rules. On the House floor, the parliamentarian serves as a constant check on the appropriate application and interpretation of existing rules.⁷ Inside the party caucuses however, enforcement has been comparatively far more lax. Moreover, historically leaders have expressed significant opposition to the initial passage of many major institutional reforms, including Speaker Carl Albert's opposition to the change empowering himself to appoint majority party members of the Rules Committee (in 1974) and Majority Leader (and later Speaker) O'Neill's steadfast opposition to the transition from an appointed to an elected Democratic whip (throughout the 1970s and 1980s).⁸ Leaders have been reluctant to enforce many rules changes throughout the mid-twentieth century, including rules relating to regular party meetings, using the caucus to instruct committee members, and the responsibilities of party steering and policy committees.⁹ Some rules have also been enforced differently than they were intended. For example, while rules changes that empower the Speaker to appoint

⁷ It is important to note that even some House rules are open to interpretation and/or sporadic enforcement. For example, rules providing for a layover period for conference reports (ostensibly to give members and their staff time to read them) prior to a vote are open to wide interpretation. Do weekends and holidays count as part of a three-day layover period?

⁸ Speaker Albert was opposed to empowering himself to appoint majority party members of the Rules Committee and spoke out against the rules change immediately before the Caucus vote approving it ("Many House Democrats Critical of New Leaders," *New York Times*, June 6, 1973, DSG papers, Part II, box 122, folder 8: Library of Congress, Washington, D.C.; Pierson, John, "Shaking Up the House: Will It Help?", *Wall Street Journal*, December 12, 1974.). The proposal to transition to an elected majority whip received considerable leadership opposition, including by then-Majority Leader Tip O'Neill who spoke out vociferously against it (January 4, 1974 Transcript of the Democratic Caucus Organizational Meeting, discussion of Rosenthal and Hays' amendments to elect the whip, Part II, box 136, folder 4.) O'Neill viewed it as a personal attack on his power, as one of the powers of the Majority Leader was the appointment of the whip.

⁹ For example, party leaders expressed their opposition to regular meetings of the Democratic Caucus by encouraging Caucus chairs to cancel as many meetings as possible (August 6th, 2015 interview with a congressional staffer working for the Democratic leadership in the 1970s).

members of key committees and the Steering and Policy Committee are intended to geographically, ideologically or otherwise balance the committee membership, they may be used to weaken the underlying committee. For example, the Democratic Steering & Policy Committee is viewed by many as an institution strategically rendered ineffective because of leadership appointments – contrary to liberal reformers’ intention to create a strong and robust agenda-setting committee within the party.¹⁰

Hurdles Confronting Factions in the Contemporary U.S. Congress

In recent decades, the U.S. Congress has further evolved to make it even more difficult for new groups to develop the power necessary to pursue their mutual goals. Most of the hurdles listed above remain true, but power and informational asymmetries between party leaders and rank and file members have only grown.

Today, party power has been heavily centralized to further limit the role and participation of individual members. Party leaders rigidly control the floor schedule (and thus which legislation receives an on the record vote). Legislation that might internally divide party members is likely to be suppressed by party leaders (Cox and McCubbins 2005). And most legislation is authored by party leaders, and the committee system as a site where members’ expertise is

¹⁰ The archival record and interviews with current and former congressional staffers characterize leadership appointments as rendering S&P so divided that it is unlikely the group would ever be able to reach a consensus (and thus affect policy change) ((August 6th Interview with a congressional staffer; April 16, 1974 “Memo to Myself” written by Richard Conlon, DSG Papers, Part II, box 125, folder 7). A weak and ineffectual S&P is different than originally intended by the liberal reformers who campaigned for its creation. For example, in a 1977 Democratic Caucus meeting, Rep. Neal Smith described the representational differences between S&P and The Committee on Organization, Study and Review (which he believed operated the way it was intended): “The Steering Committee does not represent the Caucus. It represents the leadership. We have the trickle-down theory for the Steering Committee... We wanted the Steering Committee to be the other way around, but... the leadership controls the Steering Committee. The leadership controls the Rules Committee and that is the way it ought to be, but the only way a cross-section of this Caucus can have its views reflected is through this Committee on Organization and Review [the Committee on Organization, Study and Review, or OSR].” DSG papers, Library of Congress, Washington, D.C. Part II, box 139, folder 1.

employed to draft quality legislation has been incredibly weakened (Sinclair 2011). Junior members outside of the leadership's inner circle or without regular access to the leadership struggle to seek consideration or passage of legislation they authored. The declining power and efficacy of committees has limited the ability of factions to improve the party's responsiveness to their interests by promoting their representatives into leadership positions. Whereas in the past, factions could increase responsiveness by shepherding their leaders on to exclusive committees and committee chair positions, this strategy is now less effective. Committee positions are simply less useful than they used to be (Sinclair 1999, 2011).

Though parties infrequently replace their leaders, leadership turnover continues to pose a threat to the party brand and discourages the expression of minority views within parties. Indeed, the development of the 24-hour news cycle brought a new intensity to any real or perceived division within legislative parties, and in particular the majority party. The media's constant "horserace style" coverage of the divisions within the Republican Conference in the 114th Congress, which culminated in a tumultuous month-long October 2015 leadership race, underscores this new reality. In many ways, parties have adapted by providing leaders with a considerable number of rewards and sanctions to maintain their leadership position and suppress dissension among the ranks (Pearson 2015). It is simply easier for leaders to punish those partisans who don't fall in line and support party goals and leaders. And there are significant limits to the capacity of factions to leverage their votes in leadership races to pressure party leaders to enforce existing rules or support legislation that reflects their constituents' interests. The numerous failed historical attempts by factions to challenge their leaders by casting opposition votes before the party or on the House floor is a testament to both the difficulty of this strategy and the fraught incentives for the faction's allies to support their leaders despite policy differences. In 2015, Speaker John Boehner's (R-OH) decision to remove 2 Republican members

of the Rules Committee (Reps. Daniel Webster and Richard Nugent) was widely viewed as punishment for their insurgency against his leadership, as Webster had run against Boehner for Speaker with Nugent's support (Sherman and Bresnahan 2015). Punishments like these can ultimately hinder members' re-election efforts. Boehner's removal of Tea Party and Freedom Caucus member, Rep. Tim Huelskamp (R-KS), from the Agriculture Committee in 2012 – a political imperative for his rural, farming district – is widely believed to have contributed to his primary loss in 2016. Rep. Huelskamp, who also received a primary challenge in 2014, repeatedly criticized Boehner on a wide range of issues, including numerous budgetary matters, and helped lead efforts to unseat him from January 2013 to his eventual resignation in 2015 (Chokshi and Mele 2016).

Moreover, party leaders increasingly discourage rank and file members from participating in this process or learning about House procedure altogether. Former House parliamentarian, Charles Johnson, recalled in an interview: "When I first started [in 1964], the party leadership was not averse to allowing their members to be instructed through introductory seminars through our office. We would give to both sides upon request. But relatively recently, I would say parliamentarians' exposure to new members for any in-depth discussion of procedures" is very limited. Former Majority Leader Tom Delay (R-TX), in particular, "didn't want the members to come be oriented by the Parliamentarians. And that's been true ever since."¹¹

Junior members continue to be less likely than more senior members to hold either party leadership positions, or to head committees (even after the 1970s reforms expanding subcommittee chairmanship positions) (Loomis 1984). Junior members' participation is

¹¹ February 16, 2016 in-person interview.

handicapped throughout the legislative process. They participate less in committee proceedings than more senior members (Hall 1996). They have fewer resources to offer legislators to support their legislation (Evans 2004; Wawro 2004; Arnold 1990), and are far less likely to receive a floor vote on legislation they sponsored.

And party members today still often lack a forum to meet, engage, and challenge their leaders.¹² Even after the introduction of regular party meetings in the Democratic Caucus, it has never fully realized its potential as a forum for junior members or minority groups within the party to debate ideas with senior members and the majority, respectively. While the efficacy and power of the Caucus undoubtedly increased over time (Rohde 1991), attendance often remained poor and leaders frequently cancelled regular meetings at will.¹³ These conditions weakened the capacity of the Caucus as a mechanism of accountability for party leaders to their fellow partisans and the primary institutional forum for policy and rules changes to be considered. A minority of members in both parties (40 in the Democratic Caucus) are empowered to call a meeting at any time, but a quorum (of a simple majority of the party) must be met prior to the conduct of official business. In practice, this means that a majority of party members must already agree about the need for rules reform before the meeting can even be called. Factions thus require – and often lack – the same resources and leadership necessary to insert new environmental or education policy legislation on the House agenda. Rules change often require extensive consideration and study by staff and/or members (likely effects of the desired change, likelihood of passage before

¹² I conducted multiple interviews with long-time congressional staffers (including current and recent staffers) and they all confirmed that the Democratic Caucus never became a forum for members to debate with one and other, and with the leadership. A core group of members routinely attended and participated in meetings, but Caucus meetings rarely met a quorum. The archival record also confirms that Members routinely commiserated with one and other about how Caucus meetings had become a place for the leadership to tell them how to vote, rather than a place to talk about the substance of legislation.

¹³ And when attendance did not appear to constitute a quorum of members (a simple majority of Democrats), a single member could call for a quorum. If the quorum was not met, the meeting was immediately called to a close.

the Caucus and/or on the House floor, and so forth); lobbying to the leadership to support the changes (or conversely, in the case of leadership-led reform, lobbying by the leadership to individual members); the construction of coalitions of members likely to support the proposed changes; and materials prepared (and speakers recruited) to advocate on behalf of the proposed changes, and to rebut arguments against the proposed changes.

Existing caucus rules also provide party leaders with significant agenda-setting power to shape potential rules changes. In theory, all majority party rank and file members can introduce measures designed to change party and House rules, but party leaders have the right of first recognition to offer rules changes in party organizational meetings in November and December after the election (prior to the start of the new Congress).¹⁴ This agenda-setting power is advantageous in two ways. First, the right of first recognition empowers party leaders to weaken or expand the scope of proposed changes to their benefit. The Democratic Caucus bylaws require that members provide advance notification of any item offered by members. If leaders are opposed to a proposed rules change, they can offer a modified or weakened version of the proposed change at the beginning of the meeting (limiting vote support for subsequent stronger rule change proposals), or refer it for consideration by a Caucus committee (which usually, though not always results in killing the proposal).¹⁵ Resolutions offered by party leaders are more likely to be considered before a quorum of the party, whereas rules change resolutions at the bottom of the meeting agenda may not be considered whatsoever. The result is that party bylaws

¹⁴ Historically, party organizational meetings occurred in January immediately prior to the start of the new Congress. The meetings were shifted to November and December to give the party more time to conduct party business before the new Congress.

¹⁵ The archival record is rife with numerous examples of these leadership rules strategies. In the mid-1970s, Richard Bolling's proposal to dramatically change committee jurisdictions (as part of the 1973-74 House Select Committee on Committees) was referred to the Democratic Caucus Committee on Organization, Study and Review (known as OSR), which was effectively viewed as a death-knell for the bill. It was widely acknowledged that the effect of OSR's review would be the failure of much of Bolling's proposal in the Caucus debate on the resolution to forward the proposal.

(and party norms) empower leaders with significant prerogative to shape the slate of rules changes considered each congress. And rules enforcement continues to serve as an obstacle to many factions – issues that continue to reverberate in the 114th Congress.¹⁶ During his five years as Speaker, Boehner exercised his prerogative (as many leaders had before him) to enforce party rules however he believed to be most effective within the bounds of his institutional responsibilities. In the House Freedom Caucus’s near constant criticism of Boehner, the focus was largely on the lack of rules enforcement by party leaders – a chorus of pleas for a “return to regular order” – not necessarily demands for the passage of new rules (Sherman 2015).¹⁷

Ethics reforms over the past couple decades has made it increasingly difficult for members to build alliances with one and other, or with groups outside of Congress.¹⁸ The abolition of legislative service organizations (LSOs) in December 1994 upon the election of a Republican majority in the House for the first time in forty years placed a significant barrier before members interested in coordinated action with other members of either party.¹⁹ The LSO designation allowed members to conduct line item appropriations from their personal office

¹⁶ The motivation for leadership support varies from theory to theory. Conditional party government theory, for example, assumes that rank and file members have an incentive to support rules changes that empower their party leaders when the party is relatively ideologically unified, whereas they have an incentive to support rules changes that empower committee chairs when the party is relatively ideologically diverse. While leadership support or opposition is not an explicit part of CPG, leadership incentives likely mirror those of rank and file members (i.e. leaders are likely driven to support the changes to receive the support of their party in their own leadership race). Wright (2000), on the other hand, assumes that electoral incentives drives leadership support for rules changes. If interest groups important to the party support rules changes, then leaders interested in maintaining their party’s majority status (and by extension, their own leadership post), will support those changes too.

¹⁷ It is worth noting that some of these “rules” are norms of practice, rather than rules formally inscribed in party bylaws or House procedure.

¹⁸ I do not comment on the efficacy of these changes here – I merely want to stress that these rules changes have made it more difficult for organized groups in Congress to work together and with interests outside of Congress.

¹⁹ Today, member groups register as congressional member organizations, or CMOs. CMOs may not have a separate website or office space, access to franking privileges, or stationary resources (though the group’s leader may devote a page on their own personal website for the group’s official purpose). A member’s staff may devote some official worktime to a CMO, but it cannot constitute their primary professional responsibilities.

budget for official groups in Congress. In practice, the policy enabled members to pool financial resources together to pursue their collective goals. It was also especially advantageous for junior members who did not have a committee or subcommittee staff at their disposal in addition to their personal staff. As a result, leaders of both parties viewed LSOs as a threat to their power and capacity to get their fellow partisans to vote the party line (Kernell 1997).²⁰ Some member groups that existed prior to the abolition of LSOs created external foundations to support and fund their activities, including groups like the Congressional Black Caucus (Singh 1998), but this poses a significant hurdle for new groups without resources to develop these external resource bases. Other ethics reforms have made it more difficult for members to form alliances and share information with interest groups outside of Congress.

The House of Representatives is rife with embedded power and informational asymmetries that make it difficult for members to achieve their goals individually or in coordination with likeminded allies. They were prominent in recent historical eras, and they have only grown over time. The hurdles described in the pages above are only a small number of those confronting party factions and individual members in pursuit of changes to congressional rules, structures and byways, or to improve representation of marginalized or under-represented interests. They limit the ability of groups to mobilize likeminded allies, to coordinate their efforts with other members or groups, to move their representatives into formal leadership positions, or to improve representation of their constituency groups in legislation passed by Congress. And they limit the ability of these groups to push for the passage of procedural and rules reform that would enable better representation of their own and their constituents' interests. Group size and

²⁰ The hesitation party leaders felt towards LSOs was confirmed in numerous interviews throughout the course of this research. One staffer (August 6, 2015) described the leadership's "wariness" this way: "No leadership wanted a significant power base that is outside of the leadership."

ideological cohesiveness are necessary conditions for group power in Congress, but they are alone insufficient to foster the intra-party competition necessary for institutional change.

Beyond Institutional Explanations of Change in Congress

In its simplest terms, this project argues that the capacity of groups to serve as critical ‘agents’ of change in Congress is moderated by their organizational capacity. Group size and ideological cohesion are necessary, but alone insufficient conditions to overcome the institutional hurdles to change. Institutional change is hard. Most groups do not have the internal strength to consistently pursue coordinated action – let alone to resolve their internal differences and work together in a legislative environment that rewards members for keeping their head down and punishes them for not falling in line. Change is not a “predictable” or passive process that naturally develops when new groups emerge or policy preferences shift in the majority party. The capacity of new groups to spur changes to rules and procedures, leadership pathways, and policy agendas, is predicated on their ability to work together and speak authoritatively as one. In short, group effectiveness is a function of their level of organization.

A strong internal infrastructure enables groups to capitalize on, and leverage, members’ shared resources, expertise, and enthusiasm in the pursuit of their shared goals. More specifically, group organization is the development of mechanisms to promote members’ participation and contribution to the group; a regular resource stream to support group activities; a strong, representative leadership to advocate on behalf of group members; decision-making mechanisms to resolve conflict between group members; and tools to mobilize members when

their interests are at stake.²¹ The development of these features is a strategic and iterative choice made by members. They are not inherent or naturally developed by groups – no matter their size or internal cohesiveness – nor are they the consequence of a static, one-time decision with infinite returns.²² Indeed, likeminded members require a specific set of internal structures to overcome the realities of group politics (Olson 1965; Weinstein 1969; DiSalvo 2011), and participation in Congress (Hall 1998).

The theory of factional-driven change offered here builds upon existing models that suggest the emergence of new groups within parties set into motion a series of conflicts and/or incentive structure changes that precipitate the adoption of necessary compensatory institutional changes to ensure policy output reflects new preferences. However, I depart from this literature in three respects.

First, I re-conceive of institutional change in Congress (the outcome of interest here) as a process with a series of distinct steps. Dominant theories of institutional change view the adoption of new rules – and subsequent changes to public policy and leadership pipelines – as a static event that occurs when enough likeminded members are elected to office (Rohde 1991; Cox and McCubbins 1991). The congressional reform literature continues to reflect Kingdon’s 1984 critique – “pre-decision processes remain relatively uncharted territory” (1). The theory offered here expands beyond the individual votes cast by members to reform rules and procedures. Existing models are right to emphasize observable outcomes such as these, but they often overlook the important “pre-decision processes” that occur before rules changes ever come to a

²¹ These five dimensions of organization are mutually reinforcing, and strength along one dimension alternatively strengthens and compensates for weaknesses along another.

²² The internal composition of Congress changes with each election every two years. The start of each congress brings a new set of group members and leaders who must make a renewed decision to work together and develop their own strategies to do so.

vote. I provide evidence that institutional change in Congress is preceded by a complex series of specific, observable steps not unlike the normal legislative process.

Second, I re-center the role of party organizations (the primary explanatory concept here) within the study of Congress and theories of institutional change. Whereas most approaches exclusively focus on institutions and various institutional arrangements, including seniority norms and the committee system, party organizations are an important site and source of power in the House in their own right. Although critically positioned as part of V.O. Key's (1964) tri-partite model of political parties, the decline of party organization in the states amidst the rise of candidate centered elections and party reforms inside and outside of Congress limited future research on parties as organizations.²³ In light of these changes, political scientists concluded that party organizations are relatively weak – and thus the role of party organization in shaping institutional change in Congress itself was left unaddressed. The theory of change adopted here re-centers the role of party organization as a site and source of power in the House independent of congressional institutions and institutional arrangements.

And third, I restore the responsibility and agency for change in Congress to members of Congress themselves. In contrast to some theoretical approach that assume grassroots-led institutional change is “inevitable” (and therefore arguably impossible in the contemporary era of ideologically homogeneous parties), members themselves can strategically develop and lead reform efforts. The theory offered here restores the active role of individual members and groups as the central drivers of institutional change in Congress. Existing models are right to place members themselves at the center of our understanding of institutional change (Rohde 1991; Jenkins and Stewart 2007; Schickler 2001; Schickler, McGhee and Sides 2003), though their role

²³ There has been a small but notable resurgence of studies of party organizations recently, including Seth Maskett's (2009) recent book on local party organizations.

is often far too passive. Change to institutional rules and procedure is a uniquely member-driven affair. Historically, even the most engaged outside groups have been reticent to participate in efforts to change them.²⁴

Case Selection & the Democratic Study Group

In most research studies, it is not appropriate to investigate research questions or test theories solely or primarily based on what might be called an “extreme” case (Gerring 2007). Extreme cases are unrepresentative of broader classes of cases, which makes generalizability difficult. Extreme cases are however, analytically useful when the proposed theory links the phenomena of interest to an extreme case. If the theory is not initially confirmed in an extreme case, it may not make sense to falsify the theory using other, typical cases. Extreme case analysis is also appropriate when many of the parameters of interest itself are unknown – when we do not necessarily know what it is that distinguishes between the “extreme” and other cases. Is the case extreme because it was observed a priori to be related to an extreme “effect,” or is it extreme because there is something unique about the case itself? In these instances, extreme case analysis is appropriate. The Democratic Study Group (DSG) is one such case.

The Democratic Study Group, or DSG, was the official organization of liberal Democrats in the House of Representatives from 1959 to 1994, and leader of the 1970s reform era. DSG was the first modern group of organized members inside the House, organizing prior the development of the congressional caucus and legislative organization systems, and groups such as the Republican Study Committee (1971) or the Congressional Black Caucus (1973). But DSG was

²⁴ In 1970, the legislative counsel for the U.S. Chamber of Commerce, Argyle Campbell, explained that the Chamber did not lobby on the Legislative Reorganization Act because they regarded it as “strictly an ‘in-house’ matter. It would be much better for them (Members) to handle it themselves. Members should decide how they will conduct their legislative affairs and not outside pressure groups.” DSG papers, Part II, box 125, folder 2.

not merely a group of ideologically likeminded members. It was a whip system that mobilized members to come to the floor when the Democratic system faltered. It was a leadership platform for the most activist and ambitious liberal Democrats. It was a resource-sharing arrangement between Democrats (and a small number of Republicans) to develop and distribute unbiased policy research. DSG was much more than a sizable group of likeminded liberal Democrats – it was an organization intentionally designed to empower liberals to work together to achieve their mutual and individual goals.

The reforms DSG oversaw have been the subject of extensive analysis by political scientists, but the organization and work of the group itself is more or less absent. Most accounts of reform explicitly cite DSG's work in drafting the committee and leadership reforms adopted in the 1970s. Rohde writes that "The leadership of the DSG...initiated or articulated the case for most the changes the Democrats adopted" (1991, 19). Polsby notes that "the Democratic Study Group (DSG) took the lead in proposing rules changes in the Democratic caucus" (2004, 57). And Schickler makes clear that "The DSG initiated the challenge to seniority in the late 1960s..." (2001, 231). These accounts often make some note to the group's information research services or its whip system, or detail the rationale behind some of DSG's decision-making, but the focus on DSG is ancillary. The full extent of the group's role in reform is thus left unclear. And the accounts of DSG that do exist begin in the late 1960s – a full decade after the group was founded. Organizational development is assumed as a precondition of the growing minority of liberals in the House, rather than treated as an analytical unit in its own right worthy of investigation. This project is an attempt to change that.

The focus on a sole case of reform enables me to probe in-depth the institutional conditions that motivate group organization, and the role of organization in promoting the intra-party competition necessary to spur changes to institutional rules, norms, and structures. And the

faction of liberal Democrats and the 1970s reform era in the House of Representatives is an especially ideal case to provide the first test of the moderating theory of factional-driven change offered above. These reforms – the bulk of which were adopted in the 1960s and 1970s – occurred relatively recently in congressional history. And they remain significant to party politics and the legislative process in the contemporary U.S. Congress – their impact still hard-felt in the current legislative environment.

Methods

It seems almost trite to note that this project has been conducted using a multi-method approach. I spent approximately 10 months over a period of two and a half years conducting archival research at the Library of Congress on the DSG and House Democratic Caucus papers. I read every single archival document in the DSG collection, totaling some 90,750 documents and spanning from the early 1950s to the early 1990s. The initial three months constituted an extensive period of what Richard Fenno referred to as “soaking and poking” – an attempt to learn the tone and rhythms of a legislative office, intra-party politics, and a historical period by reading the documents key figures left behind. From there, the project evolved into a systematic analysis whereby documents were read to identify the major institutional process or phenomena of interest they had bearing on, including processes of agenda-setting, information distribution, coalition-building, leadership training, and so forth. The scope of the archival collection necessitated these groupings, but it also strengthens the validity of the analyses presented here. Analyses are developed and drawn from multiple archival documents, rather than any single document. This approach also fostered significant within-case variation, whereby failed legislative fights, leadership races, and reform proposals, are readily apparent. As these “failed” cases provide as much insight into processes of change as the “successful” cases do, I include several in the

empirical chapters that follow. In addition to the official records maintained by the Library of Congress, one former DSG staffer passed on a small number of documents from their personal papers. These documents date from 1994 and 1995, and are not part of the DSG archival collection. Some materials were coded into empirical datasets to be combined with data taken from Congressional Quarterly and Thomas.gov, as well as existing congressional data sources, and analyzed in several of the empirical chapters. These data were used to conduct the large-N statistical analyses presented in chapters 3, 4, and 5.

One of the primary weaknesses of extensive reliance on archival materials, especially that of a single collection, is that the official record is often strategically left behind by policy actors, which can over- and under-state the importance of specific actors and groups during key events (George and Bennett 2005). It may also be difficult to assess the extent to which the perspectives and views expressed in documents can be attributed to specific policymakers and not their staff members. This project benefits greatly from the fact that the historical period covered here overlaps with a significant growth in the use of computers and printers to maintain records, and that DSG was – as one former staffer interviewed succinctly noted – “a paper generating organization.” The DSG collection includes a wide variety of materials that would not be out of place in an average workplace, including receipts for coffee and ice, and handwritten notes passed between bored staffers during meetings, but also condolence letters to members upon the death of a loved one, and materials that would likely have caused embarrassment to members of Congress should they be made public.²⁵ The extensive record of these sorts of materials increases my confidence in the “evidentiary value” of the archival papers.

²⁵ A good example of materials that would cause embarrassment for Members is a whip call dated November 5, 1969 (4:45pm) that reads: “This is a DSG whip call. Please remind your member of the weekly DSG Beer Party and Orgy to be held Thursday night. This week the party will be a surprise one at John Rarick’s place. Dates are invited, of course, but no wives.” [Part I, box 71, folder 1: DSG Papers, Library of Congress, Washington, D.C.] The question of whether this whip call should be taken at face

I strive to simultaneously rely on what might be termed “public documents” (press releases, research reports, speeches) and “private documents” (memos and letters between members, meeting minutes, transcripts of party meetings). To the extent possible, I also incorporate materials that were clearly written by members themselves (short memos and letters), with materials written by staff documenting or transcribing member behavior and activity (in particular, DSG meeting minutes and Caucus meeting transcripts), and communication between DSG and other congressional staffers which may or may not attribute preferences, behavior and activities to specific Members (memos and letters).²⁶ In addition to the archival record, I also incorporate media coverage of events in national newspapers (the *New York Times*, the *Washington Post*, etc.) and daily Capitol Hill newspapers (*Congressional Quarterly*, *the Hill*, *Roll Call*, and *National Journal*), and members’ own words in the *Congressional Record*.

value remains unclear (and certainly no other records of this particular event exist to my knowledge). Regardless of the true facts surrounding this event or the participants involved (John Rarick was obviously no friend of DSG), in the contemporary context, this whip call does not portray members of Congress (or staff) associated with DSG in the most flattering light. If the DSG papers were strategically constructed to protect the reputation of specific individuals, it is likely that this type of document (and similar materials identified by the author in the collection) would have been destroyed or at least eliminated from the collection before donation to the Library of Congress. An interview conducted by the author confirmed that the DSG papers were archived by DSG staffers who did not work for any one particular member. Unlike member’s personal staff who may have been loyal to a specific member and had an incentive to protect their legacy, DSG staffers did not have the same potential incentive. The content of the papers no doubt reflects this.

²⁶ Identifying and categorizing the source or authorship of many archival records is extraordinarily difficult. While it is relatively easy to identify documents written by staff members, it is far more difficult to identify documents personally written by members themselves. However, the extensive archival research conducted by this author revealed several common features. Letters and memos written by members themselves often used nicknames (such as referring to Rep. Dan Rostenkowski (D-IL) as “Rosty” or Rep. Frank Thompson (D-NJ) as “Thompy”), which was less likely in materials written by congressional staffers (although some high level staffers did use nicknames for Members). In addition, members often signed their names to documents in unique ways. For example, Rep. Patricia Schroeder (D-CO) signed her name with a smiley face inside the loop of the “P” in her first name. And finally, these materials tended to be very dense and short in length, and were far more likely to reveal the author’s opinion and personality (a large portion of these documents were rife with sarcasm). Documents written by staff – with a few exceptions, including notably former DSG Executive Director Richard Conlon (who was never reluctant to express his opinion) – were more factual, often recounting the specifics of an event or proceeding without commentary.

Considerable effort is made in the following chapters to draw conclusions that can be validated across multiple types of evidence from multiple sources.

Nearly two dozen interviews with relevant congressional staffers and members of Congress were included to provide first-person accounts of key events and decision-making processes. I interviewed a few figures outside of DSG's organization but present inside the halls of Congress to help situate the relationship of DSG to other key figures and groups. The interviews ranged in length between 45 minutes and 4 hours, although the average interview was about 2 hours in length. They were conducted in-person in Washington, D.C. and in St. Paul and Minneapolis, Minnesota, or via telephone. While the identity of most of the interviews will remain confidential, names were identified through archival papers or by referral from other interview subjects.²⁷ Contact information for each interview was either publicly available through an internet search, or was obtained via referral from other interviews.

This project combines elements of historical institutionalism and process tracing approaches, but is perhaps best defined by Paul Pierson's (2010) notion of "placing politics in time" and John Kingdon's (1984) method of building theory about decision-making processes from careful empirical observation. I employ the available archival materials to identify and record processes of institutional change according to the actual historical sequence of events. This was a considerable task that necessitated integrating documents collected months, if not years, apart from each other, as well as actual events and decisions that occurred years apart from each other. The scope of publicly available information helps to fill any gaps in the historical sequence, and I strived to note any persistent gaps.

²⁷ A small number of interview subjects agreed to be identified by name (and I do so throughout the following pages).

The goal of any good study of institutional change in Congress is to identify some general conclusion(s) that can be applied to the contemporary (and future) U.S. Congress. This is one of the goals of this project, but it is certainly not the only one. The historical particulars of the case analyzed here – of DSG and reform in the 1960s and 1970s – matter in and of themselves. It provides insights into how the first modern group of members organized themselves absent any pre-existing model to follow, how the programs of the Great Society passed despite great divisions within the Democratic Party, and how specific notable figures within the Democratic leadership, including Reps. Tip O’Neill (D-MA), Thomas Foley (D-WA), and Phillip Burton (D-CA), strategically developed a base of support within the House. The ultimate goal of this project is to give due credit to these historically-bounded developments, while also abstracting those lessons that can and do carry to the contemporary U.S. Congress. I leave it to the reader to determine whether either or both of these phenomena is more interesting.

A roadmap for the chapters that follow

In the next six chapters, I probe deeper into the institutional arrangements that drove liberal Democrats to organize DSG, how the group developed organizationally, and ultimately, how DSG’s organizational structure shaped leadership pathways, rules and procedures, and legislative agenda-setting and coalition building, within the House of Representatives. Chapter two outlines the moderating theory of factional-driven change in Congress, and how organization promoted liberals’ shared goals. Chapter three examines the origins of DSG and how liberals strategically structured the group’s organization to empower their natural allies to work together. In chapter four, I analyze the informational asymmetries that limited junior liberals’ legislative participation in the textbook Congress, ultimately providing a continuous motivation for members to participate in DSG.

Chapter five examines how DSG developed an alternative leadership training ground for liberals, providing ambitious members with the policy expertise, visibility and connections, coalition building experience, and institutional prestige necessary for them to be competitive for appointed and elected leadership posts. Chapter six examines how DSG empowered liberal leaders to launch an information and mobilization campaign to reform legislative rules to enable their policy and power goals, and evaluates liberals' procedural reform agenda from 1960 to 1976. And in chapter seven, I examine how DSG expanded agenda-setting and coalition-building resources and tools, and evaluate their success in three policy areas (civil rights, defense, and campaign finance). The focus in each chapter is on the process of change – how liberals developed organizationally; how specific organizational features in DSG supported liberal representation in the House and the Democratic Caucus; how House procedure, leadership pathways, and policy agendas changed in response to the emerging power of this group of liberals. My goal is to not only demonstrate that organization is strategically and intentionally developed by members, but to marshal the available evidence to show that the organizational capacity of groups empowers them to pursue their varied goals.

In chapter eight, I turn to the post-reform House. I analyze the impact of reform on party organization in the House, the response by other factions inside and outside of the party to DSG's effectiveness, and how the group evolved (and failed to evolve) to adapt to the changing institutional landscape. I then briefly analyze the rise of the Freedom Caucus, which splintered from the Republican Study Committee in February 2015, and examine how organization (or lack thereof) shaped the successes and failures of these two factions in recent years, including their efforts to mobilize, coordinate, and unify conservatives within their party. I conclude with a discussion of how institutional arrangements in the contemporary U.S. House limit the ability of members to work together to achieve their goals, and what the success of the strategy adopted by

liberal Democrats in DSG says about the nature of grassroots congressional reform efforts. And I will outline future areas of research, including the historical and contemporary role of state legislatures in serving as “laboratories of democracy” for reform proposals in the U.S. Congress. And finally, I will conclude by offering specific recommendations to members of Congress interested in improving representation of their and their constituents’ interests in the House.

2 | From Organization to Action

The 1970s “reform era” in Congress was the long-delayed culmination of years of unsuccessful efforts by Democrats to repair the growing ideological, geographic, and demographic cracks within the House Democratic Caucus – and with it, the remains of the New Deal coalition. The inability of party leaders to overcome the disproportionate, and arguably undemocratic, power of southern, conservative committee chairs, and the persistent underrepresentation of the liberal wing of the party in the legislative process, led to mounting frustrations among many Democrats (and liberal Republicans). Over time, these fissures became impossible to ignore or suppress, and the party took action to change their internal rules, leadership, and policy agenda to better reflect so-called “national Democrats.” This historic period of tumultuous change inside and outside of Congress shifted the site of Democratic party power and policy away from the south and increasingly towards western, mid-western, and northern states – permanently dissolving southern members’ coalition with urban, big machine Democrats.¹ Intra- and inter-party politics today in Congress are defined by this era of institutional change.

The majority of reforms were adopted between 1970 and 1975, but the incremental path away from arbitrary committee power towards a more democratic system in the House began in 1961 with the expansion of the Rules Committee (made permanent in 1963). These reforms continued with the temporary adoption of the 21-day rule in 1965, which allowed the party to bypass the Rules Committee and enabled the passage of many Great Society programs; the

¹ These power shifts arguably benefitted urban interests and constituencies more than the individual power of the machine Democrats who represented them. While these Democrats did not lose power or institutional status post-reform (it merely changed form), machine Democrats from cities like Boston, Chicago, and St. Louis held power in the textbook Congress too.

introduction of regular (monthly) meetings of the Democratic Caucus when Congress is in session (1969); the introduction of recorded teller votes on amendments in the Committee of the Whole, and open committee meetings and hearings (1970); the introduction of formal Caucus votes on committee chairs (1971-1973); empowering the Speaker to appoint majority party members of the Rules Committee and shifting the Democratic Committee-on-Committees to the Steering & Policy Committee (from Ways & Means) (1975); and the transition to a Caucus-elected (rather than leadership-appointed) Democratic whip (1986). Nearly all political scientists and close observers of Congress agree that these reforms – along with many others passed by majority vote in the House and the Democratic Caucus – increased the capacity of the party to be responsive to its members and to unite behind a coherent policy program.

Why did the House adopt so many significant reforms to the committee system, leadership and party power during this period? The dominant theories of reform posit that the incentive structures within the Democratic party shifted such that it was in the broader party's interest to support the adoption of procedural changes. If Democrats wanted to maintain a majority in Congress, they needed to pass legislation that responded to the needs of new constituency groups, and allowed for the (re)election of the growing numbers of liberal members in Congress. If the status quo was maintained, the party would have failed to pass legislation on a range of issues, including civil rights, union rights, federal aid to housing and education, and many others. The shifting of new geographic and demographic groups into the party's electoral coalition shifted members' governing incentives. The passage of the 1970s reforms to the committee system, leadership power, and rank and file participation, merely provide evidence that the party chose to act on those incentives. These explanations go a long way towards explaining individual and party-level motivations, but they fall short in explaining why this effort was successful where others had failed. Liberal Democrats had tried and failed to reform

congressional rules and expand the party's agenda in the past. In 1949, they succeeded in leading the adoption of the 21-day rule, but it was overturned two years later. In 1957, they developed an expansive liberal policy agenda termed the "Liberal Manifesto," including proposals to increase federal aid to local schools, provide for federal housing program for low-income families and senior citizens, tax reform, and civil rights legislation. The Manifesto was later widely mocked for revealing their hand to the opposition too early (Ferber 1965), and the proposals went nowhere that session. Why were the efforts of liberals in the 1960s successful, while the earlier efforts failed? Existing spatial theories of institutional change do not explain these failures; ideological, policy, and geographic cohesion remained roughly unchanged.

The struggles of liberal Democrats during the late 1940s and 1950s are not unique. In the late nineteenth and twentieth century, Progressive Republicans emerged as a force for reform within the Republican Conference. They accomplished an extensive list of policy goals (e.g. increased corporate regulation, labor protections) and many governmental reforms (e.g. direct election of U.S. senators, direct democracy in the states). By 1910, the group totaled 47 members in the House – a significant number for a party they held a bare majority (219) of seats. The group was so united that they jointly "declared themselves unbounded by the position of the Republican Conference" in 1910 in a bid to push policies toward the Progressive position (DiSalvo 2012). Despite the group's overwhelming policy successes and their historic overthrow of Speaker Joseph G. Cannon (R-IL) in 1910, reform *inside* the halls of Congress would prove to be too much of a hurdle to overcome. Their comparatively minor proposal to remove the Speaker's ability to appoint committees (official House procedure under Cannon) failed.² And with time, Progressives gradually faded from the Republican party altogether.

² When Democrats became the majority in 1911 (after winning the majority in the 1910 election), they adopted a rules change providing for House election of committees.

The unwritten terms of congressional organization – largely absent from the Constitution – elevates the emergence of new groups as natural points of self-reflection for a static institution. But the historical failure of several factional-led change efforts suggest that change is not an “inevitable” or “predictable” consequence of the emergence of new groups. New groups emerge in Congress more often than the institution itself undergoes major change. We have every reason to expect that liberals’ efforts to secure consideration of their policy goals and gain access to leadership positions in the House should have failed. The institution was stacked against their interests – seniority norms that left liberals disproportionately out of the legislative process, incentive structures that prioritized suppression of policy differences over thoughtful debate, the absence of any forum for liberals to question their leaders or even introduce rules reform proposals, and so forth. The prevailing assumption among scholars of congressional reform (Wright 2000; Schickler 2001; Schickler, McGhee and Sides 2003; Rohde 1991) that liberals would recognize – and act on – the incentive to work together does not comport with the realities of the legislative environment, or the pitfalls of group organization and coordination.

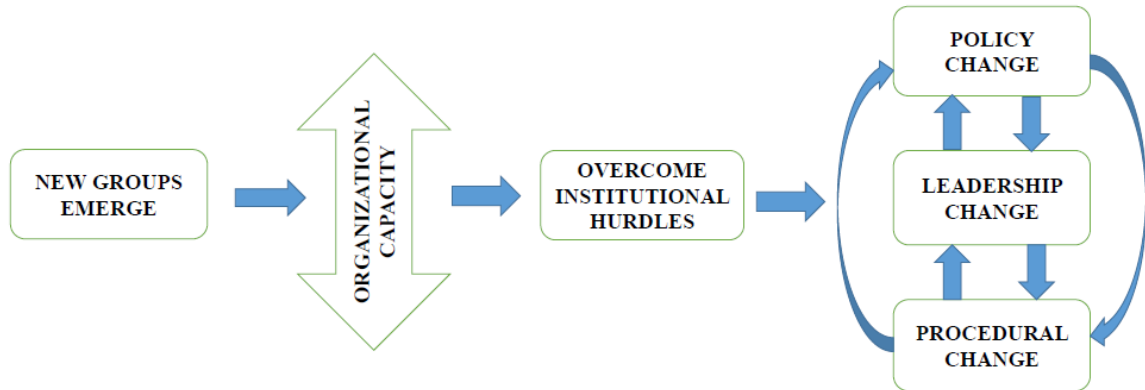
How do we explain those relatively rare cases of factions – like liberals in the Democratic Party in the 1960s and 1970s – that successfully overcame these pitfalls and the hurdles to institutional change in Congress? This chapter proposes a moderating theory of factional-driven institutional change in Congress. It is not sufficient for elections to reveal apparent shifts in public opinion, or for new groups of a sizable number and strong internal cohesion to simply emerge in Congress. The legislative branch is designed to make it extraordinarily difficult for the often-junior members of new groups to gain enough power to receive votes on legislation they sponsored, or gain access to leadership pipelines. I argue that the emergence of new groups or shifting policy preferences is a *necessary*, but alone insufficient condition to spur major

institutional change. Rather, the capacity of new groups to serve as critical “agents of institutional change” is moderated by the extent to which they develop organizationally.

A Moderating Theory of Group-Driven Institutional Change in Congress

The moderating theory of factional-led institutional change offered here is straightforward, and builds on existing models of party and group organization. I posit that group-led change develops in Congress when groups develop the internal infrastructure necessary to empower their members to overcome institutional hurdles to challenge the status quo. If Congress is designed to prevent junior members or representatives of marginalized groups from accessing and exercising formal power, then the development of a strong group organization provides members with an alternative source of power. Organization moderates the capacity of party factions to drive procedural, policy, and leadership change. The better organized the group, the greater their capacity to subsidize the pursuit of their members’ individual and group goals regardless of party and/or leadership support. Organizationally-weak factions will struggle to unite their members behind a coherent agenda or leadership, or mobilize them when their interests are at stake. Organizationally-strong factions will develop specific agendas representative of their interests, and will succeed in mobilizing their members to support their mutual goals. Figure 2.1 illustrates the model of group-driven institutional change offered here. In the pages that follow, I introduce the components of group organization necessary for members to overcome the common coordination problems and succeed in a challenging legislative environment.

Figure 2.1: Moderating Theory of Group-Driven Institutional Change in Congress



Legislative scholars have long recognized the inherent transactional nature of party membership in Congress. Coordination between members with inevitably competing interests and goals is inherently difficult; parties incentivize individual participation and contribution to compensate for, and marshal, these competing interests (Aldrich 1995). Members will participate and contribute to upholding the party brand, and in exchange, parties help members fulfill their (re)electoral, good public policy, and prestige goals (Cox and McCubbins 1993, 2005). Incentives include not only material and purposive selective benefits, but also a range of services to subsidize their responsibilities to represent their district. In more specific terms, if members participate and contribute to the party, the party will give them plum committee assignments and leadership positions, the party will support them in tough re-election races, the party will ensure they receive floor votes on legislation and amendments they sponsored, and so forth (Pearson 2015). This arrangement between party members and leaders is not inherent to the U.S. Congress or political parties – it was strategically developed by the parties themselves (Stewart and Jenkins 2009).

Party factions confront the same organizational problems as the broader party. If they want to encourage members to contribute and participate in the group, and to reconcile members' often competing goals and interests, they need to develop a similar set of internal mechanisms, tools, and resources to encourage individual participation in the group (Olson 1965; Schwartz 2006; Weinstein 1967; DiSalvo 2012). Coordination within parties does not just happen – the seeds of cooperation between leaders, members, and constituents were gradually developed by all involved over time. Party factions and groups are no different. Organized factions incentivize individual contribution, regularly mobilize members to participate, resolve conflict consistently and transparently, and elevate leaders reflective of the broader membership.

Prior research on the pitfalls of group coordination (Olson 1965; Weinstein 1967; Matson 1958) and the realities of the legislative environment (Hall 1998; Aldrich 1995; Cox and McCubbins 2005) reveal five critical aspects of organization, each of which I examine extensively:

- Mechanisms to promote the participation of members;
- Resources to support group activities;
- Strong leadership to advocate on behalf of group interests;
- Established group decision-making processes; and
- Tools to share information between group members.

Each of these indicators of organization are strategically developed by members. They are not inherent or naturally developed by groups – no matter their size or internal cohesiveness – nor are they the consequence of a static, one-time decision with infinite returns. Just as party elites must make a continual decision to invest in the development of internal resources and tools, so too must party groups and factions.

When new groups initially emerge in the political environment, they often have some organizational *structure* – for example, a specific leader(ship) and a membership, a set of

principles that guides decision-making, even a physical office or building that ostensibly represents the group itself. But structure does not inherently imbue the group with the capacity to promote member cooperation in support of their collective goals, or that the group follows some well-developed, coherent internal order. Many groups form around the ambitions of a single charismatic leader with no long-term collective goals or strategy to achieve them, or the group emerges only sporadically to protest the status quo or challenge legislation on the agenda without long-term coordination of their efforts or the resources to develop a legitimate alternative (DiSalvo 2011; Hammond 2001). Other groups form as more of a social outlet for members with similar policy preferences, but lack the motivation to coordinate strategic collective action around those preferences.

Organized factions are rendered distinct from these groups through their decision to focus on their own internal group development as a strategy for external impact.³ Group power here is a product not of group size, the internal cohesion of their ideological convictions, or the salience of their policy agenda. The power of groups of members to overcome the significant barriers to institutional change, including the stark power asymmetries and informational asymmetries between junior and senior members (see chapter one and four for more detail), is a function of their organization. The more organized groups are, the greater their capacity to develop and marshal their members' competing interests and expertise towards the common pursuit of the group's shared and individual goals.

In addition to rule and procedural reform, organization enables factions to overcome the two central barriers to long-term representation of their interests – leadership advancement and

³ Of course, organization is not a dichotomous concept such that groups are either “organized” or “not organized.” Rather, organization is understood here as an ordered concept (with high, moderate, and low levels) with specific observable indicators that can be empirically measured and employed to construct variables of interest (see Cotter et al. 1989).

polymaking participation. Organized groups provide members with the training and experience necessary to be competitive for leadership positions, including policy experience outside of their own committee assignment; visibility and connections in the House with other members, the leadership, interest groups, and the media; access to tools and resources for building legislative coalitions around important policy priorities in the House; and almost instantaneous prestige and cachet that comes with being a part of a group with a known reputation in the House. If leadership advancement depends on either recruitment by current party leaders or the self-starting initiative of ambitious rank and file Members (Loomis 1984; Peabody 1967; Canon 1989), organized party factions can bridge the gap – simultaneously helping self-starters while grooming members unlikely to be recruited by party leaders. Further, organization empowers groups with the resources to inform and mobilize their members about policy problems and relevant proposals, the authority and legitimacy to negotiate between policy allies inside and outside of Congress (including party leaders, the Administration, and interest groups), as well as the tools necessary to coordinate legislative coalitions around specific policy proposals. These are all critical components of agenda-setting with the public, at the committee stage, and on the floor (Kingdon 2010).

Here I depart from the sequence of institutional change outcomes commonly assumed in most theories (see Figure 2.1 above). Procedural, policy, and leadership change are irrevocably linked in the House of Representatives. But whereas most theories assume that procedural change alternatively and simultaneously promotes leadership (Schickler, Sides, and McGhee 2003) and policy change (Rohde 1991), I argue that each of these three dimensions of change shapes the processes and outcomes of the other dimensions. Members themselves are keenly aware of the close interplay between these three dimensions of change; they often pursue procedural change first and foremost because it enables policy change – both of which in turn are

mediated by party leaders. Success along one dimension can be leveraged to achieve and further success along another. When groups succeed in the passage of formal rule and procedural changes, organization enables factions to capitalize on that success to pursue their policy agenda. And when groups are successful at moving their ambitious allies and representatives into formal leadership positions, these leaders use their institutional power to enforce procedural reforms and place into practice the group's policy goals. Long-term representation of group interests is dependent on simultaneous pursuit of all three dimensions of institutional change.

The role prescribed here for party organization in promoting leadership emergence and policy agendas is in keeping with a vast literature on organization at all levels of government. Jenkins and Stewart (2007) explain agenda-setting power in the House through organization. The historical development of the majority party's organizational monopoly empowered the development of the procedural cartel (Cox and McCubbins 1993) and centralized agenda-setting processes in the contemporary House (Rohde 1991).

In Key's (1964) conception of party organization, organization serves as a thoroughfare through which relationships are developed and maintained between elected officials and the party members that elect them. The congressional caucus literature, especially work by Susan Hammond (1989, 1991, 2001) and Stevens, Mulhollan and Rundquist (1980), builds on this theory and applies it to organizations of members in Congress. Caucus organization empowers members involved to place issues on the agenda, and receive the leadership experience necessary to be competitive for leadership races (or to be recruited by existing party leaders). Organization helps foster relationships between future and current leaders, as well as other party members in Congress. The state and local parties' literature provides further evidence that organization

enables both “programmatic” agenda-setting activities by parties at the state level (Cotter et al. 1989), and control over candidates for local elections (Masket 2009).

There is also evidence that organizational weakness negatively shapes group longevity. For example, Rae (1989) found that liberal Republicans’ failure to organize inside and outside of Congress explains their inability to regain the agenda-setting success they enjoyed during the Johnson, Nixon and Ford Administrations. The group simply did not have the capacity to leverage the initial agenda momentum they gained in the 1960s and 1970s, and ultimately disappeared from the party altogether.

Contributions to Existing Literature

The theory of institutional change offered here builds on the foundational theories of the relationship between the emergence of new groups or factions in parties and the roots of congressional reform. In contrast to existing approaches however, I explain *how* groups or factions in parties develop the capacity to bring about institutional reform. My aim is to show how organizational capacity shapes everything from the mobilization and coordination of group interests, to the development of future party leaders, to agenda-setting power within political parties, and ultimately, to rule and procedural reform in Congress. Whereas most scholars (Rohde 1991; Wright 2000; Schickler, McGhee and Sides 2003) explain the linkage between new groups and the passage of reform through shifts in relatively abstract incentive structures in Congress, I argue factions must be strategic and empower themselves *first* in order to force their party to vote to pass specific reforms. My theory moderates the predominant theories of reform in Congress, and speaks to why some groups are successful at spurring reform in Congress, while others are not. Groups will not be able to force a vote in party caucuses or on the House floor simply because of the size of the group or the strength of their ideological convictions. In

contrast to the dominant research on political parties (Cox and McCubbins 1993, 2005), party factions (DiSalvo 2012; Schwartz 2006), and congressional reform (Rohde 1991; Wright 2000), my theory does not assume that institutional reform is an inevitable byproduct of shifting policy preferences or the emergence of new groups. Here these are necessary, but alone insufficient conditions, for the adoption of long-term institutional change in Congress. Rather, grassroots change in Congress emerges when party factions strategically develop the organizational capacity necessary to challenge status quo rules and procedures, and more critically, party leadership pathways, and agenda-setting processes.

Beyond refocusing the lens of scholarly research on the *process* of change, the model of institutional change through organizational capacity presented here integrates scholarly accounts of rule and procedural reform with theories of party leadership and agenda-setting change. The well-documented increase in more ideologically extreme party leaders (Peabody 1967; Harris and Nelson 2008) is usually explained through shifting ideological cleavages and formal rules changes that expanded members' access to leadership pipelines. To this literature, I identify a third mechanism of leadership change through which factions expand leadership pipelines by providing expertise, visibility, coalition building experience, and institutional cachet for members who may not otherwise receive it in the formal structures of the House. In addition, I build on prior work that suggests factions play a role in shaping group representation in agenda-setting processes in the House (Pearson and Schickler 2009) to explain how factions can represent constituent interests regardless of the initial level of support or opposition within the party. Cotter et al.'s (1989) research linking the development of organizational capacity to programmatic capacity in state and local political parties suggests that the representatives of organized party factions should be empowered to advance the group's policy agenda in Congress, irrespective of their junior status or controversy of the issues involved (Cox and McCubbins 2005). Procedural

reform is thus not the only mechanism available to factions to shape party agendas – organization, I argue, provides another.

Collectively, this project makes three primary contributions to the literature on intra-party politics and institutional change in the U.S. Congress:

- Reconceive of “institutional change” as a process with a series of distinct steps;
- Restores the significant and distinct role of party organization in Congress; and
- Restores member agency and responsibility in processes of institutional change.

Most group-driven and spatial explanations of institutional change in Congress conceive of “change” as a static event. The “outcome” is defined by a singular observable outcome – formal votes cast by members in parties and on the floor to adopt new rules and procedures. While scholars often rightly note the “incremental” nature of congressional reform (Rohde 1991), increments are measured in votes – not in the emergence of a specific reform from a potential idea to a formal proposal to its eventual adoption and enforcement. Institutional change is thus dichotomous – it either happens or it doesn’t happen. In this approach, key questions about the content of specific adopted reforms, the motivations of the enacting coalition, and potential unintended consequences, are assumed based on the success of the final “yay” or “nay” vote. The preliminary work necessary to secure a formal vote in the first place is ancillary to the outcome itself. The theory and research presented here reconceives of institutional change in Congress as a process with several distinct steps and observable indicators.

The adoption of new rules and procedures in Congress is the product of careful study, compromise, and mobilization – a series of steps not unlike the normal legislative process. Members have a strong individual incentive to support rules changes that increase the number of leadership positions available (Schickler, Sides and McGhee 2003), or to (de)centralize power between committees or the leadership based on their own policy preferences (Rohde 1991;

Schickler 2001; Wright 2000). But if members are not even aware of the effect of rules reforms on their power and policy goals, then we cannot expect them to act on these incentives and support rules changes on the floor. Members are often apathetic about legislative procedure, uncertain over the effects of potential changes, and absenteeism within party caucuses on rules votes is high. Successful floor votes on rules reform requires overcoming each of these difficult preliminary hurdles. If members are going to support the adoption of new rules, they need to be persuaded that reform is in their own interest and mobilized to participate when they come to a vote.

One of the consequences of conceptualizing institutional change as an event that either occurs or does not occur, is that key questions about the dynamics of reform are assumed based on the outcome of the vote. Spatial theories, for example, often make assumptions about the content of specific reforms based on the composition of the enacting coalition and with the benefit of historical perspective. We take for granted that there are many ways that rules can be changed to (de)centralize power in committees and/or the leadership, or that members are motivated by their own self-interest. And yet, these “pre-decision processes” (Kingdon 1973) are as fundamental to the scope, type, and effects of congressional reform as the final observed vote cast by members. The content of specific reforms, members’ motivations for supporting a given rules change, and the (un)intended consequences of reform, are not fixed points, but significant links in a broader causal chain worthy of investigation. Institutional change is a thorny process; it often occurs in fits and starts, with long lag times between key events, decisions, and processes (Pierson 2004; Thelen 2004). The approach adopted here accounts for these complex phenomena in understanding how a static institution like the U.S. Congress adopts to respond to its changing membership.

In addition, this project seeks to restore the significant role of party organization in understanding congressional politics and institutional change. The dominant approaches to understanding leadership development, policymaking, power, and congressional reform, have focused almost exclusively on institutional features of Congress – that is, systems of rules that structure behavior and decision-making. Party organizations as distinct and separate entities independent of the institutional features of Congress are usually overlooked. Although critically positioned as part of V.O. Key’s (1964) tri-partite model of political parties, the decline of party organization in the states amidst the rise of candidate centered elections and party reforms inside and outside of Congress limited future research on parties as organizations at the national, state, and local level. In light of these changes, political scientists concluded that party organizations are relatively weak – and thus the role of party organization in shaping institutional change in Congress itself was left unaddressed. The theory of change offered here re-centers the role of party organization as a site and source of power in the House independent of congressional institutions and institutional arrangements.

If political parties serve as the primary linkage between governmental institutions and constituents, then party organizations in Congress play a key role in promoting and challenging inevitable biases in formal institutional structures. The majority party sets the legislative rules adopted at the start of each congress and writes the bulk of legislation produced by the chamber (Sinclair 2011; Cox and McCubbins 1993, 2005). And both parties, of course, determine their own leadership pathways (Peabody 1967; Pearson 2015). These biases are challenged by *group* or *faction* organizations representing party interests that play a significant role in expanding policymaking participation and access to leadership positions for members (Hammond 1989, 1991, 2001; Stevens, Mulhollan and Rundquist 1980). At both levels, party organizations play key roles in shaping legislative institutions and providing an outlet for members to develop and

marshal their collective resources, expertise, connections, and reputation, in pursuit of shared goals.

Organization is often assumed as an inherent feature of strong, party institutions. But party organizations are distinct entities and their development often occurs independent of institutions. Nelson Polsby's (1968) seminal argument about the strong status of House institutions emerged during an era in which legislative parties themselves were extraordinarily weak – constituting a procedural coalition rather than a political party (Schickler and Rich 1997). A basic level of organization is often assumed in theories of parties inside and outside of Congress (Aldrich 1995; Cox and McCubbins 1993, 2005) – parties can hardly incentivize membership and participation without some degree of internal resources and tools. But party organizations are rarely a unit of investigation in their own right.⁴ Instead, we make theoretical and methodological assumptions that strong organization is embedded in strong parties and strong institutions. The theory offered here restores party organizations as analytical units in their own right to account for the development, application, and consequences of party organization in the House.

In addition, I restore the active role played by members themselves in driving institutional change. An additional consequence of the decline of research on parties as organization (and the emphasis on institutional approaches) is that theories of change in Congress usually understand group dynamics solely in terms of group size and ideology. Most models of institutional reform assume that once a new ideological group reaches some critical mass in size, some type of (de)centralizing change will inevitably follow. In these approaches, members themselves are rather passive in processes of institutional change, and strategy altogether is

⁴ There has been a small but notable resurgence of studies of party organizations recently, including Seth Maskett's (2009) recent book on local party organizations.

largely absent (see Schickler 2001 for an exception). If change is inevitable, the strategies adopted by members to pursue their procedural, policy and leadership goals matter little – what is most important is a particular set of institutional arrangements. The theory and research presented here restores the responsibility and agency of members to improve the very institution they are intended to serve.

The decision by individual members of Congress to organize as a group – like most decisions by political actors – is strategic. Usually, the rewards of majority party status (or the pursuit of majority party status) provide a strong incentive to maintain party unity and avoid crystallizing group interests unrepresentative of the broader party (Cox and McCubbins 1993, 2005). But if party members do not receive the benefits of majority party status – i.e. the party does not subsidize pursuit of their electoral, policy and power goals (Fenno 1974) – then they have little incentive to suppress their divisions with other members, groups, and party leaders to protect the party brand. Competition between factions and their fellow partisans over the rewards of majority party status, including power and policy outcomes, spurs factions to develop organizationally. As V.O. Key argued in his foundational work on political parties (1964), competition provides a strong incentive for parties to achieve organizational strength.⁵ Thus if party factions emerge out of some dissatisfaction with the status quo in their party, *organized* party factions develop strategically in order to empower factions to compete with other party members. The better organized the group, the greater their capacity to subsidize the pursuit of their members' individual and group goals.

Despite the implicit assumption in many theories of institutional reform in Congress and party factions, group size – and the abstract incentives they activate within the party – is a poor

⁵ While Key was specifically referring to electoral competition between different parties, his argument about the role of competition in driving organizational development holds here as well.

proxy for organization. Electoral and organizational strength are two distinct components in parties. We cannot assume that large factions will be organizationally strong, or that small factions will be organizationally weak. Prior research on state party strength in the United States (Cotter et al. 1989) concluded that Republican state parties strategically developed strong organizational complexity to overcome their weak electoral support in many states. In Cotter and colleagues' research, the size of the Republican Party in the states (measured through electoral success) had no relationship to the complexity and strength of the party organization. Organization is not a passive byproduct of large numbers of people with similar policy preferences; rather, it is a strategy adopted to increase the capacity of the party to compete, electorally and otherwise, with the opposition.

The role of process, party organization, and member responsibility, in theories of institutional change has arguably never been more important in an era in which congressional reform is seemingly impossible. The dominant paradigm obscures the significant barriers rules changes face before they ever come to a vote. In the contemporary institutional environment of ideologically cohesive parties, strongly centralized leadership power, and the abolition of legislative service organization, theories suggest that members interested in reform have no recourse to act on their frustrations with the state of the legislative branch. The theory and research presented here provides an alternative view – illuminating both the barriers to change and how members and groups strategically overcome them. Institutional change is not a passive event, but a process with multiple steps that requires the active participation and leadership of individual members. The emergence of new groups or party factions has the potential to challenge the status quo in Congress, but their power to affect legislative power, procedure, and policy, is a function of their organization.

The DSG & the 1970s Reforms

This project is motivated by a simple question: why did liberal Democrats succeed in challenging and reshaping the institutions of Congress, while other groups failed? In the face of numerous, significant hurdles to change in the House, the efforts of liberal Democrats in DSG to challenge status quo rules and procedures, to advance their own allies into leadership positions, and to contribute to the congressional agenda, should have failed. This chapter advances the argument that liberal Democrats succeeded because they strategically chose to focus on developing their own organization in DSG to advocate on behalf of their collective interests. Liberals confronted an institutional environment that left them with no recourse to challenge the undemocratic power of conservative committee chairs and the prerogative of party leaders, to mobilize their fellow members when issues of concern to their constituents were at stake, or to gain the experience necessary to be competitive for appointed and elected leadership positions.

Observing this environment, liberal Democrats chose to focus on developing their capacity to work together as a group. They encouraged individual participation in the group by holding regular meetings (providing a forum for members prior to the introduction of regular Democratic Caucus meetings), developing a campaign arm to recruit liberal candidates as members before they were even elected to Congress, and providing numerous selective benefits (including policy research) to encourage member contributions. They developed regular resource streams to support the group's activities, including House office space (the first member group to receive it) and a telephone line; a large and diversified staff; strong alliances with outside groups, including AFL-CIO, UAW, the Leadership Conference on Civil Rights, and others that regularly financially contributed to the group; and a large base of research subscribers (and clerk hire contributors) to provide the bulk of the group's yearly operating budget. Liberals developed a

rotating slate of ambitious leaders to speak for and advocate on behalf of the group through the DSG executive committee, ensuring that the group was represented in policy negotiations, adapted to new political environments, and remained consistently active during DSG's tenure in the House. They established specific mechanisms for the group to make decisions, including whip checks and polls to decide whether DSG should endorse legislation or advance specific procedural reforms in the Democratic Caucus, and delegation to the executive committee (especially the group chair and executive director) when necessary to make decisions about where to devote group resources and what policy issues to emphasize in the group's research publications. And liberals developed tools to share information and communicate with each other, including a whip system to mobilize members to come to the floor on key votes of importance to their interests; and legislative information and research publications to inform members about legislative procedure and the content of legislation.

Collectively, the archival record provides considerable evidence of long-term, conscious coordination and organization. These organizational features fostered collaboration between liberal Democrats, and ultimately enabled their successful efforts to improve representation of their interests in the House and the Democratic Caucus. I now turn to a close examination of the institutional conditions that drove liberal Democrats to organize, and the defining contours of group organization inside DSG.

3 | The Official Organization of Liberal Democrats

On September 9th, 1959, 60 or so members of the liberal “Select Planning Committee” met in secret in the House Judiciary Committee Room. Their task was neither simple nor straightforward. After years of failed efforts to pass legislation reflective of their constituents’ concerns about civil rights, education, and housing policy, they needed to develop a strategy going forward. Among the members in attendance were Rep. John Dingell (D-MI), Edith Green (D-OR), Wayne Hays (D-OH), John Brademas (D-IN), and Neal Smith (D-IA). Nearly every member attended the meeting themselves (only four sent staffers to represent them) – a strong sign of their personal interest in the meeting’s agenda. The members in attendance had been invited on the initiative of Reps. Frank Thompson (D-NJ), Henry Reuss (D-WI), George Rhodes (D-PA), and Lee Metcalf (D-WY). Almost immediately, their leadership of the group was formalized. Rep. Metcalf was nominated and unanimously elected as the group’s permanent chairman, Rep. Roosevelt as vice-chair and Rep. Thompson as secretary. The group also decided that they needed a whip system of their own to mobilize members to come to the House floor. At Thompson’s suggestion, a rudimentary whip operation was added to the secretary’s office under his direction. They made plans to meet shortly with the full planned membership before the next session of Congress, and adopted a resolution that members would “be polled on the question of the principal issues upon which the group would concentrate in the next session.”¹ The group decided to rename themselves the “Democratic Study Group” – or DSG – to avoid being typified as “insurgent” or “activist” in the press. The name was meant to imply that the group studied

¹ September 9th, 1959 Meeting Minutes of the Policy Committee Meeting, House Judiciary Committee Room. DSG papers, Library of Congress, Washington, D.C., part I, box 135, folder 10.

policy issues of interest to Democrats, rather than as a radical group emerging to challenge their party leaders.

The actions taken by liberal Democrats to organize themselves on September 9th represent a historic first. In 1959, there were no “legislative service organizations” or “congressional caucuses” for liberals to model themselves after – they were the first modern group of members to do so. And the organizational strategy they adopted would provide the blueprint for countless other groups that emerged in the following years, including the Congressional Black Caucus (organized in 1971) and the Republican Study Committee (organized in 1973).² Why did these members choose to organize themselves? What drove them to establish their own base of power in the House? And absent a model for rank and file members like themselves, how did liberals develop an organizational structure, and to what end?

These questions about the motivations and actions of a single group in 1959 may initially appear to be relatively unimportant or trivial – except that the group in question precipitated and led the most significant grassroots-based campaign for reform in the House (Rohde 1991). The decision to organize DSG was a critical first step in liberal Democrats’ campaign for change in the House, much of which came to fruition in the 1970s. And yet, this decision to organize – independent of the Democratic Caucus and party leaders – is often obscured by legislative scholars’ emphasis on other institutional dynamics during this era. Conventional accounts of intra-party politics in the 1950s and 1960s typically focus on the ideological division between liberal rank and file Democrats and southern, conservative committee chairs, or power battles between party leaders and committee chairs. However, a closer analysis of the broader institutional dynamics in the 1950s and 1960s reveals that the decision by liberals to organize

² For example, the Republican Study Committee follows DSG’s practice of empowering prior group chairmen (“the founders”) to nominate future group chairmen (subject to a membership vote). The Congressional Black Caucus follows DSG’s practice of rotating its leaders every two years.

DSG reflect internal party divisions and institutional hurdles that went much deeper than those typically emphasized by legislative scholars. Liberal participation was suppressed in nearly every aspect of congressional and party organization. Their organizational strategy provides insights into how these hurdles to change in Congress can be overcome, and the role of organization in promoting the participation of groups and interests under-represented in the normal legislative byways.

In this chapter, I evaluate the theory presented in chapter two about the role of intra-party competition in driving new factions to organize themselves against the case of liberal Democrats in the 1950s. I advance the argument that liberals chose to organize DSG because the party did not subsidize – and sometimes thwarted – their electoral, policy, and power goals. Liberals had no incentive to protect the ‘party brand’ because the benefits of majority party status went to their more senior, conservative colleagues (Cox and McCubbins 2005; DiSalvo 2012).

The bulk of the chapter traces how liberal leaders developed and structured the Democratic Study Group (DSG) to empower their likeminded allies to advocate on behalf of their collective interests. While members themselves play a relatively passive role in existing models of institutional change (Rohde 1991; Cox and McCubbins 1993), I find that members were active and engaged leaders of nearly every facet of institutional change in the House from the late 1950s to the early 1990s. If rules and norms in the House suppressed liberal participation in the legislative process and party politics, then DSG was strategically designed by group leaders to enable liberals’ collective power, policy, and re-election goals. The organization was designed to foster the participation of individual members, to balance members’ ideological demands with necessary pragmatism, to develop and share critical legislative resources between members, to empower ambitious leaders to advocate on behalf of the group, and to mobilize members when their interests were at stake. These organizational features were not a simple byproduct of DSG’s size or the strength of their ideological convictions, as suggested by conventional (spatial)

theories of institutional change. Indeed, the group developed long before the election of the Watergate Babies and or the development of a liberal majority in the Democratic Caucus. The organization of liberal Democrats was strategically established, developed, and maintained, by liberals to further their shared interests.

The Failure to Subsidize Liberals' Electoral, Policy & Power Goals

Liberals were keenly aware of the significance of their decision to organize – a decision with far reaching implications for the Democratic party brand and the reputation of their party leaders. The initial reluctance by liberal leaders to formalize the association between themselves and their likeminded partisans underscores this fact. Throughout the 1950s, liberals met frequently to vent and share their frustrations over their lack of power and inability to fulfill policy promises to their constituents. This relatively amorphous group of junior members of Congress met under a variety of names, including the Mustangs, McCarthy's Mavericks (for Representative, and later Senator, Eugene McCarthy (D-MN), the Select Planning Committee, the Liberal Study Group, and the Liberal Steering Committee. Absent regular meetings of the Democratic Caucus, liberals lacked any other forum for meeting with their fellow partisans to discuss policy, issues back home in their districts or in their own re-election races, intra-party politics, or complaints with their party leaders. But lacking a majority in the Democratic Caucus and access to formal power in the House, these meetings were more of a social – rather than legislative – forum for members to meet with one and other. They were not a venue for long-term strategic planning or coordination. Their most visible activity to date was the “Liberal Manifesto,” an outline of liberals' major legislative goals that was introduced on the House floor on January 8, 1957, and widely viewed as a strategic misstep for revealing their hand to the opposition too early (Ferber 1965).

The 1958 midterm election raised the stakes for liberals. They knew they needed a majority within the Democratic Caucus to accomplish any of their goals, and they believed this election was their chance. Anticipating a watershed election for Democrats, a small group of liberals, including Reps. Frank Thompson (D-NJ), Henry Reuss (D-WI), George Rhodes (D-PA), and Lee Metcalf (D-WY), began contacting Democratic candidates to inform them of their “liberal Democratic program.” They worked with a small volunteer group of staffers to offer candidates “assistance...in supplying certain specific types of research data which might be useful to them in their campaign against the Republican incumbent.”³ Their efforts included warning Democratic incumbents and candidates in advance of interest group attacks (such as the Chamber of Commerce), and preparing candidate responses to them. The goal was to engender support among these Democrats prior to their election to Congress, with the hope that they would join the group after they got elected (a strategy DSG would adopt for much of their tenure in the House). The 1958 election ultimately increased the Democratic majority by 49 seats to 283, and as anticipated, many of these new Democratic members wanted to join the “liberal group.”

To prepare for this larger Democratic majority, Reps. Thompson, Reuss, Rhodes and Metcalf sent a Dear Colleague letter to 80 liberal members in December 1958 stressing the key gatekeeping power provided by the Rules Committee, which “strangled liberal legislation of vital importance to our constituencies and the well-being of the country as a whole.”⁴ The letter asked members to respond with their opinion about whether or not Democrats “should endeavor to liberalize House rules at the beginning of the 86th Congress,” the specific types of changes should be advanced, and their opinion as to the best strategy to adopt to achieve these rules changes. Enclosed with the letter was a memo outlining proposed changes in House rules, including

³ November 12, 1958 letter from Reps. Thompson, Rhodes, Reuss, and Metcalf to Rep. John E. Moss. DSG papers, Part II, box 159, folder 1.

⁴ December 2nd, 1958 Dear Colleague letter, DSG papers, Part II, box 37, folder 1.

reinstating the 21-day rule, decreasing the number of signatories (votes) required for a discharge petition, various proposals to strengthen party responsibility, modifying the functions and power of the Rules Committee, and liberalizing procedures for sending bills to Conference.⁵ The majority of the proposed reforms outlined in the memo targeted the committee system, rather than the number of leadership positions available to members, the type of power wielded by party leaders, or the function and power of the Democratic Caucus. Though reforms targeting these areas were discussed, they were pushed off for future congresses.

These early efforts were guided by a strategic plan, entitled the “Proposed Master Plan and Timetable for Efforts to Liberalize House Rules.” The plan underscores how wary party leaders initially were of this emerging group of liberals. The Master Plan stressed personal, member-to-member recruitment tactics to reassure and offset “Leadership attempts to dissuade them from joining us by use of special favors, promises of committee assignments, threats, etc.”⁶ These concerns provide first-hand evidence that individual members and factions in Congress are hampered by the leadership’s unique access to carrots and sticks to induce their fellow partisans to fall in line (Peabody 1967; Pearson 2015). The Master Plan also advanced a strategy to maintain contact with Democrats on the “Leadership fringe” to gauge the leadership’s counter-activity and potential areas of compromise. Rep. Richard Bolling (D-MO), a Rules committee

⁵ The 21-day rule stipulated that if a bill had been held in the Rules Committee (after referral to the committee) for 21 calendar days, the chairman of the relevant committee of jurisdiction for the bill could bring the bill directly to the floor of the House on the second and fourth Mondays of every month. The discharge petition provides a mechanism for a large plurality (at times, 150) or simple majority (no more than 218) of members to bring a bill directly to the floor if the relevant committee of jurisdiction refuses to report the bill.

⁶ These recruitment tactics will be discussed briefly below and in detail in chapter four, but the tangible benefits of membership were stressed at every point. DSG members gained access to a wide array of information and research services on legislation before the House and other policy issues, as well as a variety of campaign services (polling services, interest group contacts for donations, etc.).

member and procedural expert, played a key role here as the major connection between liberals and the leadership, and Rayburn often sent Bolling to speak as his representative to liberals.⁷

Cognizant of the need for the leadership's support to pursue any rules changes, liberals dispatched Rep. Chet Holifield of California, a comparatively moderate member, to lobby Speaker Rayburn immediately prior to the beginning of the 86th Congress.⁸ Holifield advocated for three specific reforms intended to address liberals' concerns: (1) add an extra Democrat to the Rules Committee (Holifield advocated for a western liberal), (2) allow as few as 150 members to discharge legislation from committees (rather than 218), and/or (3) reinstate the 21-day rule, which provided that if the Rules Committee did not act within 21 days on a bill duly reported to its jurisdiction, the bill could be automatically brought to the floor for a vote.⁹ At issue for the liberals was the strong belief that liberal and conservative Democrats "should not be protected from controversial legislation. They should vote on important committee reported bills." Party and committee leaders who suppressed critical policy issues (in part to "protect" members from controversial legislation) limited the capacity of liberals to cast meaningful votes on issues important to their constituents. To liberals, this was a violation of their institutional and representational responsibilities – and as Holifield remarked from the House floor, "If a Congressman does not have the 'guts' to vote on legislation, he needs a 'wet nurse.'"¹⁰

⁷ While this document did not explicitly state which Democrats were considered to be on the "leadership fringe," Bolling is the most likely candidate. In earlier communication between Holifield, Blatnik and Rayburn, Rayburn stated that he would send Bolling as his representative to address liberals.

⁸ Memo from Holifield re his telephone call with Speaker Rayburn. DSG papers, Part I, box 55, folder 3.

⁹ In theory, the Rules Committee serves as a "traffic cop," responsible for determining the "rules" of debate governing legislation voted on the House floor and ensuring the orderly and fair consideration of legislation. Many members – Democrat and Republican alike – also viewed the Rules Committee as – in the words of Rep. Charles Halleck (R-IN) – a critical check on the "unwise, unsound, ill-timed, spendthrift and socialistic measures" (*CQ Almanac* 1951). However, during much of this period, the ideological divisions within and between the two parties and the absolute power of the Rules committee chairman, Rep. Smith, enabled the committee to serve as a veto point for liberal legislation. Chairman Smith would – as congressional folklore has popularized – go home to his Virginia farm to "milk his cows," and the Rules Committee would simply not assign a rule.

¹⁰ October 20, 1960 DSG Legal Memo "Oppositions in the House of Representatives to a Change in the Rules," DSG Papers, Part II, box 3, folder 5.

The Speaker informed Holifield that Rep. Howard Smith (D-VA), Chair of the Rules Committee, had turned down proposals to increase the size of his Committee, and Rayburn was not currently interested in the other proposals. Holifield left the call with the impression that Rayburn was chiefly interested in sowing up the southern vote for Speaker. And indeed, Rayburn had no intention of breaking up the long-fought coalition between the leadership and southern, conservative Democrats for a group of junior members. He was especially unsympathetic to liberals' demand for a westerner on Rules, replying "You boys can raise this in the next Caucus if you want to, but I think you better not."¹¹ After the meeting – and over the Speaker's warnings not to speak to the press – Holifield released a statement that simultaneously proclaimed success and held Rayburn accountable for potential legislative failures: "We have received assurance from Speaker Rayburn that legislation which has been duly considered and reported will be brought before the House for consideration within a reasonable period of time."¹² Rayburn's concerns over how the press would interpret their conversion was not unfounded. After Holifield's pronouncement, a *Washington Post* editorial declared that "The Speaker has a clear obligation now to redeem that pledge. Indeed, he faces a determination whether he or Rules Committee Chairman Howard Smith is the leader of the House." Nevertheless, in exchange for Rayburn's pledge, liberals promised to forgo their efforts to reform House rules and the "Master Plan" was put on hold.

¹¹ Undated 1959 meeting minutes between Speaker Sam Rayburn and John Blatnik. DSG papers, Part I, box 55, folder 7. As the Democratic Caucus only met immediately prior to the beginning of each Congress during this time period, this conversation likely occurred immediately prior to the January 1959 organizational meeting of the Caucus. The request by DSG for a "westerner" on the Rules Committee may seem surprising at first to congressional scholars well versed in speaking in terms of "Northerners" and "Southerners." However, the archival record reveals that liberal Democrats rarely identified themselves as or advocated on behalf of "Northern Democrats" (though they did routinely speak of "Southern Democrats"). DSG usually advocated on behalf of "National Democrats" or "westerners," who the group believed were systematically under-represented in leadership positions in the party and on committees.

¹² June 24, 1960. *Washington Post*, "Third House of congress." DSG papers, Part II, box 159, folder 2.

The archival record does not reveal whether liberals actually trusted Rayburn to deliver on his promise, or whether they believed they simply had no other options after their conversation. But within a few months, liberals learned that not only was Rayburn unable to fulfill his promise to rein in the Rules Committee, but if they wanted to accomplish their procedural reform agenda, they needed strong allies of their own in the leadership – and their own site of institutional power in the House.¹³ Despite his assurances, Rayburn could not fulfill his promises to them that the Rules Committee would not block liberal legislation. A powerful and beloved Speaker, Rayburn simply did not have the institutional power to bypass the Rules Committee on his own, and he was unwilling to spend his precious political capital and risk his own leadership position to press the issue (Polsby 2005). Absent leadership support, liberals needed a majority in either the Democratic Caucus and/or on the House floor. Despite large increases in their Democratic majority in 1958, liberals did not have the votes for any formal rules changes. Thus, they needed to not only increase their ranks electorally, but to win the support of Democrats already in Congress who may not have foreseen the need for change. This task was not insignificant; the hurdles confronting them seemingly insurmountable. But on September 9th – a mere 8 months after Holifield’s unsuccessful phone call with Rayburn and his promise to place the “Master Plan” on hold – the Select Planning Committee met in the Judiciary Committee room and the Democratic Study Group emerged.

Despite strenuous efforts by liberals to avoid DSG being seen as a threat or challenge to party leaders, the Washington Press Corps immediately seized on the story of this group of “Mustangs” who came into the open [in December 1958]...when it sent a mimeographed fact

¹³ Liberals were keenly aware that their reform proposals would go nowhere without strong support in the leadership. In a December 30, 1960 DSG meeting at the George Washington Inn, a subcommittee devoted to the “Rules Committee problem” reported that “there is little chance of correcting the Rules situation unless the Group has the approval of the Speaker” (part II, box 159, folder 2). Rayburn would eventually push (a temporary) proposal to expand the Rules Committee, but not until the start of the 87th Congress.

sheet on the Rules Committee to prospective supporters.”¹⁴ These press accounts highlight the complex position the formalization of this group placed upon Democratic leaders in Congress. When Rep. Holifield proclaimed that Speaker Rayburn had promised liberals that legislation “duly considered and reported” from committee would receive votes on the House floor, Rayburn’s ability to deliver on that promise was viewed as a reflection of his power in the House. While the emergence of this new faction of liberals in the Democratic Caucus may not have necessarily weakened Rayburn directly, it certainly exposed weaknesses in his own institutional power and leadership – weaknesses he likely did not want brought to light (Peabody 1967; Cox and McCubbins 1993, 2005).

But Rayburn was a shrewd political strategist. He recognized the critical negotiating leverage this group of liberals would provide him, especially on the types of social policy issues prioritized by DSG. In an interview, former DSG executive director and longtime congressional staffer Scott Lilly, described how the group’s emergence shaped Rayburn’s strategic position within the party:

“Rayburn was smart and knew that if he was going to help Johnson or Kennedy deliver on any kind of program as president, he knew they needed to get control over the Rules Committee. He thought it was going to be a really good thing for younger progressive members to start giving [Rules Committee Chairman] Judge Smith a hard time, and then he could come in as a mediator when the time came. He could come in here as a mediator.”¹⁵

The assumption was that if liberals pushed legislation (and rules changes) to the left of what Democrats in the House – and southern, conservative committee chairs – would normally pursue,

¹⁴ Don Irwin. “House Rules Group Curb is Sought: Liberals Act to Cut Its Power.” *New York Herald Tribune*. December 7, 1958.

¹⁵ Lilly’s account of the relationship between DSG and party leaders was reinforced through interviews with other staffers. For example, a long-time DSG staffer recalled a similar symbiotic relationship between DSG and Speaker Wright during the Iran-Contras affair in the 1980s. In an interview (August 6, 2015), one staffer said that “Wright was opposed to the whole Nicaragua thing and so he found DSG useful to kind of gin up opposition to Reagan, and DSG was able to finally get opposition to cut off funding [to the Contras]. And DSG was willing to do this because it was the kind of thing they would do regularly.”

Rayburn could negotiate a compromise somewhere between where the two groups stood, but ultimately more liberal than would ordinarily emerge. The most important facet of the group was not necessarily their size and ideological coherence, so much as their legitimacy, which only became apparent through organization. Absent DSG, it was harder for Rayburn to make the argument before staunch conservatives like Chairman Smith (D-VA) that there was a coherent group of members supporting institutional change – a force within the party that needed to be reckoned with.

It is important not to overstate the potentially hostile relationship between liberals and their party leaders in the late 1950s and early 1960s (Zelizer 2015). Nevertheless, liberals' perception that the leadership and the Democratic Caucus did not represent their interests provides the foundation of their decision to organize themselves. Liberal Democrats had no incentive to suppress differences with their colleagues and protect the "party brand" because the benefits of majority party status went to their more conservative, senior colleagues (Cox and McCubbins 1993, 2005). The party did not further their policy, electoral, or perhaps most critically, power goals in the House (Fenno 1974). And party leaders, for their part, failed to mobilize and coordinate liberals, to elevate their policy priorities, or to support the leadership ambitions of liberal Democrats in Congress. Their first-hand experiences in the 1950s made it abundantly clear to liberals that their procedural, policy, and leadership change agenda was mediated by formal sites of power in Congress. The only way to combat the rampant power and informational asymmetries in the House was to strategically organize their own site of leadership power in DSG. While this task would ultimately take years – a fact liberals were keenly aware of – it is a critical factor in explaining the transformation of the House and the Democratic Caucus throughout the mid- to late-twentieth century.

The Official Organization of Liberal Democrats

In the months and years following the September 9, 1959 meeting of the newly named *Democratic Study Group*, liberal Democrats strategically developed into an organized party faction with the capacity to pursue their collective goals. They studied the institutional environment to identify their members' most pressing needs, and shaped their services and activities to meet them. With a keen appreciation for the major institutional hurdles limiting their members' pursuit of their electoral, policy, and power goals, they sought to challenge them point-by-point. Among other things, they learned how to best motivate members to participate in the group, how to mobilize their members to come to the floor for important votes, and how to make decisions about specific rule and procedural reforms to place before the Democratic Caucus. Despite the quick adoption of a formal title, DSG did not develop as an organization immediately in 1959. They worked tirelessly to build up DSG's organizational capacity, including its financial and political resources, the authority of its leaders to speak on the group's behalf, and the tools necessary to unite and mobilize their members when important issues were at stake. They made sure no facet of their organization stood alone – each and every component fed into and supported another.

Organization enables parties to capitalize on their numerical strengths, while also compensating for numerical weaknesses (Key 1964; Cotter et al. 1989). In an era of weak party organization, DSG fulfilled this organizational role for liberal Democrats. The proportion of liberals in the House Democratic Caucus – and their internal ideological cohesion – unequivocally grew throughout the mid to late-twentieth century, but for much of this period (the 1950s-1970s), strong liberals constituted a minority (or bare majority) of Democrats (see Figure 3.1 below). DSG simultaneously contributed to this growth (through the group's campaign

activities and services), while also compensating for liberals' consistent minority status within the Democratic Caucus.

The organization of liberal Democrats provides a model for how members can work together to improve their capacity to participate in Congress despite their minority status, and in the face of leadership opposition, internal divisions within their party, and minimal access to the formal power, tools and resources so critical to change in the House. Indeed, liberals' model of organization has never been more relevant in the highly centralized and divisive contemporary U.S. Congress.

Promoting Group Participation

Arguably the most significant organizational step confronting liberal leaders in the 1950s centered on how to promote collective action among and between their natural ideological allies. It was one thing for a small group of activist liberals (such as Reps. Metcalf, Rhodes, Thompson and Roosevelt) to be actively engaged in the group, it was quite another to unite enough liberals together that they could constitute a majority force within the majority party. The challenges inherent to mobilizing a large number of members (ranging between 75 and 125 in the late 1950s and early 1960s), as well as the multiple, competing demands on members' time, provided a significant hurdle for liberal leaders in DSG (Olson 1965). The Democratic Caucus was merely a procedural coalition during this era (Schickler and Rich 1997), and liberals routinely constituted a minority or bare majority of members. There was no institutional apparatus through which liberals could build a coalition of their likeminded partisans and press for procedural, policy, or leadership change. Liberal leaders' first task focused on filling this gap. They needed to not only encourage Democrats to become DSG members, but to foster their active participation thereafter. To promote membership and participation, the group developed a strategy that emphasized early

recruitment of members prior to their first election to Congress; personal, member-to-member lobbying; and the cultivating and distribution of selective benefits.

From the late 1950s to the mid-1970s, DSG was able to capitalize on the Democratic Caucus and the leadership's organizational weaknesses to recruit new DSG members prior to their initial election to Congress.¹⁶ DSG did not get involved in contested primary races as a matter of practice, but once a candidate was nominated, they readily helped raise money for candidates (directly or through the DSG Campaign Fund) and provided numerous other services.¹⁷ They disseminated information (including opposition research) to candidates, and developed "special television films and radio programs, campaign brochures" to distribute to members, as well as a "buddy system" where senior members were assigned to give campaign advice and assistance to Democratic Congressional candidates from their own state or region."¹⁸ These resources and services engendered significant loyalty in candidates to DSG, and made them far more likely to become a member of DSG when they entered Congress.

Liberal leaders in DSG learned early on how effective this recruitment strategy could be in achieving higher membership numbers. After the effort in the 1958 election, Reps. Thompson (D-NJ), Reuss (D-WI), Rhodes (D-PA), and Metcalf (D-MO) documented its success in a letter to Rep. John Moss (D-CA):

"Pursuant to our informal agreement last August, Democratic candidates for the House were contacted and informed of our liberal Democratic program and accomplishments...Assistance was offered in supplying certain specific types of research data which might be useful to them in their campaign against the Republican incumbent. A large number of these candidates availed themselves of this offer. Special campaign

¹⁶ DNC state committeemen/women subsidized DSG's recruitment efforts here by frequently cc'ing the DSG chairman or executive director when submitting official primary results to the DNC and other party committees.

¹⁷ DSG worked with many groups to fundraise money for liberal candidates, including civil rights groups like the Leadership Conference on Civil Rights, and labor unions, including AFL-CIO and UAW. In some cases, these groups would send money to DSG earmarked for specific candidates; in other cases, these groups donated to the DSG Campaign Fund with the assumption that DSG would donate the funds to the best candidates and/or most in-need campaigns.

¹⁸ Undated 1964 memo from DSG chairman Blatnik (D-MN) to DSG members re 1964 campaign plans. DSG papers, Part II, box 132, folder 7.

material was prepared for them, as well as other material of our group. *A significant number of these newly-elected Democrats have already asked to become associated with our liberal group in the 86th Congress*” (emphasis added).¹⁹

The letter was dated November 12, 1958 – a mere 8 days after the election, suggesting a remarkably successful recruitment strategy. DSG followed this strategy throughout the 1960s, 1970s and into the 1980s. And indeed, within a few short years of adopting this strategy, many liberal candidates (and their top campaign staffers) knew to contact DSG for assistance during their campaign – the group did not even need to identify candidates beforehand. An interview with a long-time DSG staffer recalled how:

“we were very much involved, and very much talking to other organizations like the NCEC [National Committee for an Effective Congress] that pay attention to candidates so we were able to identify really good people and really have an impact. They would know that going in and they would immediately join the DSG so they could get the [legislative research] reports.”²⁰

For many newly elected members, DSG leaders and staff were their only personal connection to the House prior to their arrival in January – these personal connections were strengthened during new members’ participation in DSG’s orientation sessions, which helped to solidify the link between early campaign assistance and membership after candidates entered office.²¹ The sessions were held prior to the start of each Congress, and included seminars on how to build up a staff and split their allotted office budget between the district and Capitol Hill. New members undoubtedly learned that DSG research services subsidized the work of their new legislative assistants and legislative correspondents. DSG membership and research subscription fees were framed as a sensible use of a small portion of their office budget. But all new members left the

¹⁹ November 12, 1958 letter from Reps. Thompson, Reuss, Rhodes and Metcalf to Moss. DSG papers, Part II, box 159, folder 1.

²⁰ September 23, 2015 interview with former staffer.

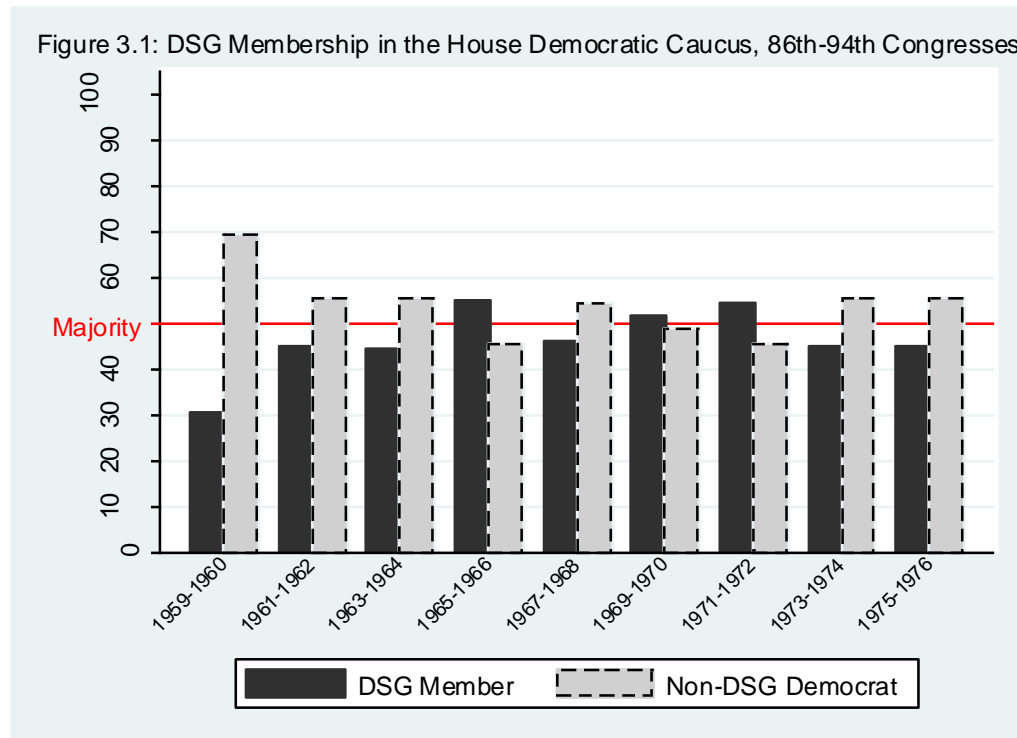
²¹ The leadership did not begin offering their own orientation session until the late 1970s (at which point, former DSG leaders now in the formal party leadership applied lessons they learned from DSG’s orientation sessions to develop their own).

orientation session better equipped to immediately adjust to the responsibilities and privileges of serving in the House, including participating in the legislative process.

DSG's information and research services constituted a significant selective benefit for rank and file members, and provided a strong motivation for rank and file members to contribute to the group (Olson 1965). These services, which included simple summaries of complex legislation and the politics surrounding policy issues, subsidized member and staff efforts to remain informed and active on a range of policy issues (Kingdon 1989; Klein 2011). In addition to these fact-based research services, the group provided numerous other information services for members that simultaneously encouraged them to remain active in the group and in the House. Among these services were draft constituent letters, a job service to collect resumes of qualified candidates for staff openings, and training sessions on parliamentary procedure for members and staff. In order to make sure that new members were aware of the range of services offered by DSG, the group's chairman would usually send a letter welcoming them to the House, describing the research and other services offered by the group, and offering a free trial to the services for a short period of time. In most cases, this letter – in combination with recruitment efforts during their election – was enough to convince the new member to become a dues-paying contributor to DSG. Occasionally, alternative methods were employed too. For example, the group sometimes offered “sticks” to discourage “free riders” from borrowing DSG materials from contributing offices.²² DSG leaders would also personally lobby members from their region to pay their bill in

²² The DSG chair sent Dear Colleague letters discouraging this practice, and sometimes warning contributing offices that they would stop providing them with more than one copy of research if the practice continued. For example, in 1979, Obey sent a memo to members discouraging this practice, describing DSG as “a pooling arrangement whereby each Member is expected to carry a fair share of the burden. Free riders hurt all.”

full. Collectively, these efforts ensured that nearly every Democrat subscribed to DSG’s research by the end of the 1970s.²³



DSG’s promise that membership lists would be kept confidential promoted membership too. Liberal leaders were keenly aware that some members may have been reticent to join DSG if membership would harm them electorally. In the 1950s and 1960s especially, liberals were disproportionately elected from marginal districts. To encourage participation, DSG’s official policy promoted confidential group membership (not unlike the Freedom Caucus’s practice of secret membership lists today).²⁴ The promise of confidentiality provided reassurance to hesitant

²³ It is important to note that just because Democrats subscribed to DSG’s research services, it does not necessarily mean they considered themselves “DSG members” (or paid membership dues, which beginning in 1979, were collected separate from research subscriber fees).

²⁴ Of course, the archival record strongly contradicts any claims made about this policy. DSG kept numerous, detailed records of its members and research subscribers each Congress, including records of

members that their opponents in future elections could not use their DSG membership against them. For example, in 1965, future Speaker of the House, Thomas Foley (D-WA), represented a relatively conservative district – which Rep. Mo Udall (D-AZ) had to negotiate around in his efforts to recruit Foley. In a letter thanking him for a check for his membership dues, Udall noted that, “As I told you this morning, the DSG officers are *keenly aware of the nature of your district and the special problems that you face. There are no DSG membership lists*, but we are happy to provide you with the benefit of research and assistance of our group” (emphasis added).²⁵ Udall’s letter suggests that Foley’s membership in DSG was conditional on its secrecy. Obviously by 1975 when Foley became DSG chairman, the benefits and power of public association with DSG outweighed the potential negative electoral consequences.

member financial contributions. The policy was, more accurately, a promise that DSG would not disclose membership lists to the press, the leadership, or anyone else – a promise that DSG strenuously upheld throughout their tenure in the House.

²⁵ June 24, 1965 letter from Udall to Foley. DSG papers, Part II, box 132, folder 6.

| Table 3.1: Logistic Regression Analysis of Founding DSG Membership, 87 th Congress | |
|---|----------------------|
| <i>Personal & Institutional Characteristics</i> | |
| Party Unity | .0348* (.0149) |
| Seniority | -.0842** (1.0444) |
| Committee Leader | .4865 (.4163) |
| Female | .3863 (1.0433) |
| Non-white | -.3649 (1.1471) |
| Marginal Seat | -.0128 (.0130) |
| <i>District Demographic Characteristics</i> | |
| Urban | .0067 (.0088) |
| Black Population | -.0263 (.0219) |
| Blue Collar Economy | .0395 (.0547) |
| Unemployed | .3979 (.2619) |
| Union Members | .0791*** (.0202) |
| Constant | -5.0973** |
| N | 258 |
| Model Chi-square | 81.82*** |
| % Correctly Classified | 83% |
| *p<.05, **p<.01, ***p<.001 | |
| Numbers in parentheses are robust standard errors. | |

Group participation was also reinforced by providing numerous, regular forums for members to meet with one and other. Membership meetings, for example, were organized roughly once a month when Congress was in session and noticed to members via a brightly printed orange meeting notice. These meetings were, especially in the 1960s, the only regular opportunity for members to meet with their likeminded colleagues to discuss policy, concerns or problems with congressional institutions and/or their party leaders, and ask for support from their

colleagues for legislation they sponsored (Rohde 1991).²⁶ These meetings helped build relationships with one and other and with DSG leaders, ultimately solidifying their association with and commitment to the group.

And of course, there were some significant differences between the institutional position, policy preferences, and constituencies, between DSG members and other Democrats. Table 3.1 presents logistic regression results of membership in the Democratic Study Group in the 87th Congress, which comprises the first full congress after DSG was founded in September 1959.²⁷ DSG members were more junior, voted more often with their fellow partisans against Republicans, and were more likely to represent a large labor union constituency in Congress.²⁸ At the group's founding, the average DSG member had served just under 6 years, or 3 terms, in the House, and voted with the majority of their party against a majority of Republicans 77% of the time. The probability of a member joining DSG *decreases* by about .15 with each standard deviation increase in seniority (or about 8 years, or 4 terms in office), holding all other variables at the mean. And the probability of a member joining DSG *increases* by about .20 with a standard deviation increase in district union membership (about 11.5%), and by about .16 with a standard deviation increase in party unity support (or about 20.5% vote support), holding all other

²⁶ The Democratic Caucus did not begin meeting regularly until 1969 as part of a compromise negotiated between DSG leaders and Speaker McCormack in exchange for their promise not to protest Rep. William M. Colmer's (D-MS) assumption of the Rules Committee chairmanship after incumbent chairman Howard J. Smith (D-VA) lost his seat. Even after the introduction of regular meetings of the Democratic Caucus, DSG membership meetings remained important for many rank and file liberals. Widespread problems with obtaining quorums in the Caucus, and critiques that Caucus meetings evolved to become merely another forum for the leadership to tell members how to vote, elevated the importance of a separate, grassroots-based forum for members as provided by DSG.

²⁷ While regression analysis is normally pre-ceded by a set of hypotheses, the data offered here is merely descriptive; it is not intended to predict a members' decision to join DSG. It is difficult to evaluate the decision to "join" DSG as prior to 1979, "membership dues" and "research subscriber fees" were not separated. Thus, members may have "joined" DSG solely for access to research. As DSG membership is a dichotomous variable, logistic regression analysis was employed. See Appendix 1 for a description, measurement, and data sources for each variable.

²⁸ The average non-DSG member has approximately twice the seniority (or about 13 years in office), and voted with the majority of their party against the majority of Republicans about 57% of the time.

variables at the mean. I found no relationship between urban district demographics and DSG membership, which is surprising given liberals' emphasis on issues that disproportionately impacted urban districts such as "slum clearance" and city-based rat extermination programs.

And while the archival record documents DSG members' belief that southern members were electorally safer than themselves, I found no association between group membership and district competitiveness. These results should be interpreted with extreme caution, however, as most southern members were not only elected from non-competitive, one-party states (Polsby 2004), but they represented "at-large" districts. As a result, 71 Democrats – representing Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia, and West Virginia – received 100% of the major party vote in their "district."²⁹ And elections indeed produced sharp swings in DSG's membership rolls. Figure 3.1 traces the size of DSG's membership relative to the full House Democratic Caucus from 1959 to 1976.³⁰ In most years during this period, DSG comprised a minority (or bare majority) of the Democratic Caucus (though the group never dipped below a third of Democrats). DSG swelled to a majority of Democrats (nearly 55%) in the 89th Congress after the landslide Democratic election in 1964, and plummeted by 50 members after the disastrous 1966 midterm election. Remarkably, despite this steep drop, the group's membership rebounded, albeit unevenly, and never dropped below 45%. This suggests that DSG's recruitment tactics were

²⁹ These data are collected from *Congressional Quarterly*, Voting & Elections Collection. 8 non-southern members were also elected to at-large seats in California (3 members) and Massachusetts (5 members). These states had both at-large and district representation.

³⁰ Unfortunately, I have been unable to identify valid membership lists in the archival record for subsequent years. It is important to note that these figures, especially beginning in 1968 when Conlon became executive director, over-represent the number of members of Congress identifying as DSG members. Conlon's greatly increased DSG's research subscriber services. New research publications were developed, and the quantity and length of existing materials increased as well. DSG did not separate membership dues from research subscriber fees until 1979, and thus any member who subscribed to DSG's research services was automatically made a member of the group.

successful in maintaining a significant floor level of support among members despite electoral forces outside of the group's control.

The broader differences observed above suggest that Speaker Sam Rayburn (D-TX) could legitimately claim that DSG members were a coherent group within the Democratic Caucus that deserved consideration, if not a seat at the table.³¹ Rayburn would ultimately go on to provide liberals with some critical early resources (which will be described in the next section), and in return, liberals provided the Speaker with the necessary leverage to obtain the legislative outcomes he desired.

Resource Cultivation

Legislative resources are finite and often tied to formal leadership positions within parties and/or the committee system (Evans 2004; Wawro 2001), which traditionally disadvantages junior members without access to either leadership positions or the resources they often convey.³² As junior members, the liberal Democrats who founded DSG recognized the considerable support they would need for their activities, and began strategically developing the logistical support and income necessary to empower themselves to undertake them. These regular resources provided steady support for DSG activities and services across a variety of temporal and institutional factors, including party leaders unfriendly to the group, during times of divided government, or

³¹ Chapter 5 provides detailed comparisons of key differences between DSG leaders, and formal party and committee leaders in the House.

³² Rep. Thomas Rees (D-CA) described the struggle liberal members faced in attempting to obtain legislative resources: "We tried to get some help, I mean secretarial help; we tried to get some secretarial pooling so we could get letters out. We tried to get an extra office so two or three members could pool an operation, but everything was given out by seniority. The senior members who didn't need help, who all won by huge votes, that's why they are senior members, because they have [a] set district....it was a lost cause. The senior guys had the staff; they had the secretarial backup; they had the space; they had the machinery, and we didn't." [Thomas M. Rees, Oral History Interview, Conducted 1987, UCLA Oral History Program, for the California State Archives State Government Oral History Program: 360-361].

election years when individual members participated less. It ensured that the group remained empowered to act on behalf of collective liberal interests and foster member participation.

Some of the earliest logistical resources cultivated by liberals for their efforts emanated from the leadership. Speaker Rayburn gave liberals an office in the Longworth building in 1958, making DSG the first unofficial or informal group in the house to receive separate office space (Stevens, Mulhollan and Rundquist 1980). Within a decade, DSG would grow to include the equivalent of four member's offices on the fourth floor of Longworth, and their executive director would have an office equivalent to the personal office provided to each member. If the distribution of precious office space and resources is one of the most important and valued "special favors" available to party leaders (Peabody 1967), then Rayburn's decision sent a strong signal to the liberals that he appreciated the role they played in the party. Lilly described the significance of Rayburn's institutional support for DSG:

"Probably the biggest thing that ever happened to DSG was either 1959 or 1960, Sam Rayburn's office called Bill Phillips who was executive director at the time, and said we think you should have a telephone connected to the House system....*that* was how they knew they had arrived."

The importance of a telephone line of DSG's own cannot be overstated. When liberals first began organizing themselves in the late 1950s, they created a whip system – led by Thompson (D-NJ) and operated via telephone – to mobilize liberal members to come to the floor for key votes.³³ This system made it possible for liberals to instantly receive communication from the leadership, but more importantly, to share that information with their fellow (liberal) Democrats.

DSG began building up their staff capacity during this period. William (Bill) Phillips, an aide to Rep. George Rhodes (D-PA) – one of DSG's founding members – was hired as the

³³ The development and function of the DSG whip system will be explored in detail in chapter five.

group's staff director (and first full-time employee) in May 1960.³⁴ Rhodes initially loaned Phillips temporarily to the group, but the group's growing activities required full-time staff support. Within ten years, DSG's staff went from 1 full-time staffer to over 20 (reaching 26 by the early 1970s).³⁵ The largest increase in staff occurred after the executive committee hired Richard (Dick) Conlon as executive director in 1968.³⁶ Conlon, who was trained as a journalist before becoming press secretary for Senator Walter Mondale (D-MN), is widely credited with swiftly building up DSG's staff capacity, especially the group's research staff. One former DSG staffer interviewed recalled Conlon's expectations for potential new staff hires: "He [Conlon] would get people with varied backgrounds. He would get people with graduate degrees...He actually had in mind having people who already had substantive expertise in the area."³⁷ In this way, DSG's staff paralleled the ideal committee staff with a range of substantive experts supporting the work of members of Congress.

DSG's policy of rotating executive committee leaders at the start of each Congress necessitated the development of a strong, prepared and self-directed staff. Every staffer interviewed in the course of this project stressed that the new leadership each Congress ensured that DSG's executive director, in particular, had significant prerogative to direct the day-to-day activities of the group. DSG's executive director was considered such an important position that Conlon – DSG's longest serving top staffer – was referred to in press reports as the "436th Member of the House." He was on a first name basis with nearly all members he interacted with, and had strong personal relationships with many executive committee members. Conlon, his

³⁴ Davidson, Roger H., David M. Kovenock, and Michael Kent O'Leary. 1966. *Congress in Crisis: Politics and Congressional Reform*. DSG papers, Part II, box 163, folder 6.

³⁵ By 1993, DSG had 18 full-time staffers.

³⁶ John Morgan replaced Bill Phillips in the mid-1960s. According to one former DSG staffer, Morgan was forced out by the DSG leadership because they believed he was ineffective. The executive committee was responsible for interviewing and hiring the executive director, who then was charged with most DSG hiring decisions.

³⁷ September 21, 2015 in-person interview.

successor Scott Lilly, and the staff they developed were a significant resource for DSG, and as such, the office was effectively self-sustaining. Regardless of various temporal factors – e.g. busy election years, or the chairman’s demanding committee work or district travel schedule – DSG’s staff ensured that the organization’s goals, activities and services continued to thrive.

To support DSG’s growing staff, DSG developed a regular stream of clerk hire funds. House clerk hire funds are monies from a member’s personal office budget that are explicitly earmarked to pay for staff (“clerk”) salaries. In the mid- to late-twentieth century, members could elect to jointly pool a portion of their clerk hire funds to pay for a single staffer.³⁸ Clerk hire funds were contributions given by individual members to DSG over and above their membership dues and research subscription fees. And indeed, members’ loyalty to DSG and their appreciation for the research services provided by the group was more than returned to them through the services provided by the group. In an interview with DSG’s bookkeeper, she recalled how if DSG was ever short on payroll and needed clerk hire funds, she would call members’ offices and most members “were pretty willing [when asked to contribute] to do so. Some of them did it on a regular basis.”³⁹ Members also sometimes contributed clerk-hire to DSG in gratitude for staff support or assistance on a member’s special project, such as a fundraising event.⁴⁰ Moreover, as the leadership training and opportunities provided by the group strengthened, members desiring to run for leadership positions in DSG strategically participated

³⁸ The staffer would work in the DSG offices and for DSG-specific activities, but would technically be paid for by several individual members’ office budgets. This practice was extremely limited by legislative service organization regulations adopted on the eve of Republican take-over of the House in 1994.

³⁹ October 22, 2015 in-person interview.

⁴⁰ For example, in an October 23, 1985 letter from an aide to Rep. Bob Wise (D-WV) to Conlon, the aide noted that “Bob asked me to contact Roy [Dye] to inquire about making a modest Clerk Hire contribution to the DSG” as a thank you for Conlon’s help with Wise’s recent fundraiser and other things. DSG papers, Part II, 132, folder 6.

in these fundraising efforts to garner favor with other members.⁴¹ By the late 1970s, somewhere between 80 to 100 members contributed on average \$3,600 in clerk-hire.⁴²

The rest of the DSG budget, including office equipment and other materials, were funded largely through research subscription fees and membership dues. Despite the collective action problem posed by many large groups, DSG enjoyed considerable success at soliciting financial support from their members. By the end of the first session of the 87th Congress, over half of the 121 solicited members of Congress contributed financially to the group (68 members total).⁴³ Services offered by DSG prompted much of this loyalty by DSG members who paid membership dues and subscription fees ranging from \$100-\$200 in the early 1960s, to \$500 at the end of the 1970s, to well over \$2,000 at the beginning of the 1980s (and between \$3,000-\$4,000+ thereafter).⁴⁴ DSG tracked contributing and non-contributing members, and dispatched executive committee members to lobby those members from their region who had not yet fulfilled their obligations to pay their bill in full. Contested DSG elections also provided a strong impetus for members to renew their DSG membership so that they were eligible to vote. There were four especially competitive DSG elections, in 1971, in 1975, in 1979, and in 1994 (before the start of

⁴¹ For example, in a February 27, 1975 letter, Rep. William Ford (D-MI) announced his (ultimately unsuccessful) candidacy for chairman of DSG. In his bid for the position, he stressed his fundraising work during the past six years, which helped give him “valuable insight into how DSG can best function in meetings its goals and challenges.” DSG papers, Part I, box 4, folder 3.

⁴² February 22, 1979 Dear DSG Colleague letter from Mikva, DSG papers, Part II, box 133, folder 5.

⁴³ It is important to note that not all of the Members of Congress solicited by DSG considered themselves “members” of DSG, nor were they necessarily actually members of the group. “Democratic Study Group Members, 87th Congress, 1st Session, November 1, 1961,” DSG papers, Part I, box 58, folder 3.

⁴⁴ Beginning in 1979, membership dues were separated from research subscription fees. At the time, membership dues totaled \$25 and research subscription fees \$300. The change was approved by the membership by a vote of 152 to 12. The distinction between “member” and “research subscriber” was primarily a difference between individuals with the right to vote in DSG elections at the start of each Congress, and individuals who did not have that right. This was a pragmatic decision for DSG as a growing number of Republicans subscribed to the research services, as well as Democrats who did not want to be considered as DSG members, but wished to receive the group’s research. February 15, 1978 memo from DSG chair Mikva re membership fees; December 6, 1979 memo from Obey to members re DSG financial problem, DSG papers, Part II, box 134, folder 1.

the 104th Congress). Before each of these elections, numerous lapsed memberships were renewed so that members could cast a vote.

To supplement the income provided by Democratic research subscribers, DSG began soliciting Republican research subscribers (apparently in response to the request of several Republicans to do so) in the early 1970s. While the executive committee was concerned that they might unintentionally empower the opposition, this was a strategic move by the group to increase their operating budget without necessarily increasing their responsibilities or work.⁴⁵ Former DSG executive director Lilly described this strategy:

“We were a completely entrepreneurial, free enterprise organization within the federal government. We lived off of our subscriptions. We had some money donated, but by and large, our subscriptions were something that we needed. I think during the time I was there [1988-1994], we went from 15 to 20 Republicans up to around 50. [That was] 50 times \$5,000 a year – \$250,000 – that we had to spend on improving our operation. And we did that in spite of the fact that both [Republican Minority Whip] Gingrich and [Republican Conference Chairman] Armey were not only discouraging Republicans from subscribing but threatening them – saying “we know who you are and we’re not going to do you any favors if you want to change committees or anything else.” Basically saying, “we’re not going to support you for any positions that you might seek if you continue to do that.”⁴⁶

In the late 1950s and much of the 1960s, interest groups contributed to DSG’s operating budget, providing “voluntary donations” for receipt of the research materials and contributions for the DSG Campaign Fund (earmarked for liberal candidates). Ethics regulations passed by the House placed a moratorium on “voluntary donations” to the group.⁴⁷ In order to continue receiving access to the research materials, interest groups, including labor unions, civil rights groups, and others, would pay a fee to receive the materials at-cost (postage, paper, and a small cost for the

⁴⁵ It is important to note that this strategy often faced considerable challenges from the Republican leadership who were staunchly opposed to their members contributing to an officially partisan group.

⁴⁶ October 28, 2015 telephone interview. The archival record support Lilly’s characterization of the Republican leadership’s opposition to Republican research subscribers of DSG. At the end of 1993, the Republican Conference Chair Dick Armey sent a letter to his fellow Republicans decrying the Republican members who provided the group with \$158,900 in fiscal year 1993 alone. He argued that this financial support was not a “harmless use of official funds,” but one that had “greater implications, as well as consequences, for all House Republicans.” DSG papers, Part II, box 134, folder 5.

⁴⁷ However, contributions to the Campaign Fund continued as the financial accounts were separate.

copying equipment). In the early 1970s, fees ranged between \$25 and \$75, but reached \$300 by the end of the decade.⁴⁸ These fees did not enhance DSG's budget, but the relationship they symbolized was significant. DSG provided legislative information to interest groups that would otherwise be difficult to obtain, and in turn, interest groups kept DSG abreast of their legislative activities. If interest groups initially emerged as a critical contributor to DSG's income, they later evolved into a pivotal link in DSG's information network.⁴⁹

Strong Leadership to Advocate for Group Interests

When DSG first met as a group on that September day in 1959, one of the first decisions they made concerned the group's leadership structure. The membership established a practice of electing their leaders with secret ballots, shared leadership power among a small group of members, and the elevation of leaders descriptively representative of the group. These three tenets of DSG's leadership structure guided the group throughout their tenure in the House – ensuring the group changed in response to new political environments and circumstances, and consistently empowered leaders with the legitimacy to speak authoritatively on behalf of liberal Democrats. The effect on opportunities for ambitious members to participate in Congress was immediate.

Rather than rely on the leadership of a single ambitious or charismatic member, DSG was consistently led by a group of members who served on what was called the “executive

⁴⁸ DSG memo re “voluntary contributions” from non-DSG users, DSG papers, Part II, box 133, folder 2.

⁴⁹ This informational relationship is quite different from the informational exchange common to theoretical accounts of lobbying today (Hall and Deardorff 2004). During DSG's tenure in the House, members collectively subsidized the cost of interest group participation and lobbying in Congress. While interest groups undoubtedly played an informational role during this period, it was not the one-sided information exchange that scholars commonly assume to be the case in the contemporary U.S. Congress.

committee.” The committee developed in 1960, and initially totaled 8 members. Reps. Metcalf (D-MO), Thompson (D-NJ), and Roosevelt (D-CA), who were elected via secret ballot in September 1959 as chair, secretary-whip, and vice-chair of the group, respectively, were joined by Reps. John Blatnik (D-MN), Frank Coffin (D-ME), William J. Green, Jr. (D-PA), Abraham Multer (D-NY), and Sidney R. Yates (D-IL) in January 1960. Over time, the executive committee was enlarged as group activities and responsibilities developed, but its leaders were always elected by the membership.⁵⁰ From 1959 to 1971, the executive committee ranged between 8 and 15 members (and thereafter, between 15 and 38 members). By the 1970s, the committee included several (at-large) vice-chairmen, a separate secretary and whip, and regional vice-chairmen.⁵¹ Elections were usually held over a 1-2-day period (especially in later years) in a designated room in one of the House office buildings (or sometimes in the Speaker’s Lobby in the Capitol). Members were given ample notice ahead of the election, and could drop by to vote whenever they had a free period of time in their schedule. In addition to the elected leaders, 1-2 members were appointed by the chair each year, including the freshman representative. Former chairmen were also guaranteed a seat on the executive committee as long as they served in the House. This practice formalized the relationship between DSG allies after they moved into formal party and committee leadership positions later in their legislative career – ensuring that they were not only involved in DSG decision-making, but they were encouraged to contribute valuable leadership intelligence, as well as the resources provided by the leadership apparatus.

⁵⁰ Sometime in the early 1960s, DSG began organizing an Elections Committee to make recommendations for leadership positions of the group. The committee was appointed by the current DSG chair and headed by a former DSG chairman. In general, there was only one candidate for chairman with the interest and credibility to win the seat, and the committee merely “nominated” that candidate. When there were multiple candidates running for chairman, the Elections Committee nominated each of the candidates. There were four contested elections for chair in DSG’s history – in 1971, 1975, 1979, and 1994 (DSG’s last leadership election was moved from its typical March date at the start of the new congress in response to Democrats’ new minority status).

⁵¹ Other leadership venues in DSG, including leadership in DSG’s task force system and leadership of the DSG Campaign Fund, were appointed by the chair (with input from the executive committee).

For example, if a DSG leader became a whip (as Reps. Thomas Foley (D-WA) or John Brademas (D-IN) did in the 1970s and 1980s), they could share information about where other members stood on a bill, and how that was likely to shape leadership strategy on the floor.

The executive committee was designed to be representative of the full DSG membership, including seniority, regional composition, and electoral vulnerability. Executive committee members averaged about 8.5 years in office or just over 4 terms, which made them slightly more experienced than the typical DSG member (who averaged about 3 terms in office), but significantly more junior than House leaders. Party leaders averaged 18 years (9 terms), committee chairs averaged 24 years (12 terms), and subcommittee chairs averaged 14 years (7 terms). The executive committee also represented a cross-section of liberal Democrats, although the overwhelming majority were from western and mid-western states. The majority of DSG leaders were elected from mid-western (between 25-46%) and western states (between 21-38%) throughout the group's tenure. Over time, the committee evolved to include regional vice-chairmen (and in the 1980s, a southern member) to ensure that it was descriptively representative of all Democrats. It was considered critical to an organization like DSG where liberals were keenly aware of how geographic divisions could divide Democrats. This broad geographic representation was especially important for anticipating potential regional problems or concerns, and crafting strategies to address them. A long-time DSG staffer explained that "The executive committee would give insights into how people from those regions would think."⁵²

And as liberals were disproportionately likely to be elected from competitive or marginal districts, so too were many executive committee members; this helped DSG understand the needs of rank and file members often ignored by electorally safe party and committee leaders. Some executive committee members even represented districts where association with DSG could pose

⁵² August 6, 2015 in-person interview.

an electoral threat. In an interview with political scientist Thomas Mann, who served as an APSA Congressional Fellow for Rep. James O'Hara – DSG's Chairman in the 90th Congress (1967-1968) – he recalled that O'Hara “represented a pretty conservative democratic constituency...where George Wallace did extraordinarily well.”⁵³ Despite his chairmanship of DSG and his widely acknowledged parliamentary expertise, O'Hara's constituency limited his capacity to serve as the public face of reform efforts in the House. The electoral vulnerability of many executive committee members challenges a dominant line of research on the role of re-election goals in shaping member behavior (Mayhew 1974), and helps explain why DSG limited much of its press activity in the group's early days. In a letter dated October 8, 1966, DSG executive director John Morgan noted that DSG averaged only 3 press releases a year on “strictly DSG business,” including non-controversial things like “major staff changes, our fund-raising event in the summer, a committee report and the like.”⁵⁴ Though the press did cover DSG activities, the group's leadership largely operated behind closed doors without press interaction or public knowledge.

Executive committee members were expected to participate and contribute to the group. If DSG was running low on clerk-hire funds, for example, the executive committee was tasked with personally making up the difference, both from their own funds and by lobbying members to contribute.⁵⁵ This emphasis on active participation was somewhat unique in the House. As the congressional caucus system exploded during the 1970s and 1980s, members began organizing

⁵³ November 17, 2015 telephone interview.

⁵⁴ October 8, 1966 letter from John Morgan to Blair Ewing. DSG papers, Part II, box 132, folder 9. Another explanation for the limited interaction with the press during this period is that John Morgan and Bill Phillips (Morgan's predecessor) were not especially press savvy. Richard (Dick) Conlon's hiring in 1968 – and his own experience as a journalist – substantially changed how DSG interacted with and employed the press to their own advantage.

⁵⁵ Clerk-hire refers to the share of a member's personal office budget that they can contribute to DSG to support the employment of full or part-time staffers. The salary of a single DSG staffer, for example, may be funded through the clerk-hire contributions of several members' offices (with each member contributing a few thousand dollars). Clerk-hire contributions were separate from membership dues and research subscription fees, and were somewhat harder to solicit from individual DSG members than the other dues.

caucuses around single policy issues (nuclear proliferation), representatives of various demographic groups (Women's Caucus, Congressional Black Caucus), and other ideological or factional groups (Republican Study Committee). There were so many caucuses that many members belonged to numerous organizations, and their leadership board was more perfunctory and symbolic than substantive (Hammond 1989; 1991). Scott Lilly, former DSG executive director and a longtime congressional staffer, described how DSG leaders differed from the leaders of other caucuses in the House:

“We wanted the executive committee to not only help us think about what we were gonna do, but make our efforts resonate more broadly in the House once we did something...we did have a good deal of investment by a lot of the executive committee. There were some people who belonged to 15 different LSOs, and didn't participate in any of them. We tried to make sure that didn't happen in DSG.”⁵⁶

The archival record supports Lilly's account of member's commitment to DSG. Executive committee meetings were generally well-attended by DSG leaders, and they regularly participated in the discussions.

The active demands placed on DSG leaders necessitated a sharing of responsibilities among members. Beginning with Rep. Metcalf's election to the Senate in 1960, DSG began an informal practice of rotating their leadership. No single member occupied the same role in two consecutive congresses.⁵⁷ During the March 1965 DSG leadership election, outgoing chairman Rep. John Blatnik (MN) said that “It has always been my strong feeling that there should be a rotation of officers and a broad sharing of responsibilities in DSG.”⁵⁸ This practice was formally inscribed into the DSG bylaws at the request of outgoing chairman Donald Fraser (MN) in 1971. In a letter announcing nominations for the executive committee in 1973, the DSG nominating committee wrote, “In no small part, the past success of DSG in meeting such challenges has been

⁵⁶ October 28, 2015 telephone interview.

⁵⁷ For example, a member could move up from the secretary or whip position to the chairmanship, but they could not stay as the secretary or whip for two consecutive congresses.

⁵⁸ Introductory Remarks, March 3, 1965 DSG meeting, DSG papers, Part II, box 3, folder 8.

due to the renewed energy and drive and the fresh ideas which successive new leaders have brought to our group.”⁵⁹ These archival documents suggest that it was not only an organizational imperative that leadership responsibilities be shared in light of the multiple, competing demands on members’ time, but a strategic imperative as well. Executive committee service was not just a responsibility, but an opportunity. A rotating leadership was part of a deliberate strategy by DSG to help disseminate leadership training and experience to a larger group of members denied by seniority norms from receiving them elsewhere in the House. This increased DSG’s chances of cultivating leaders competitive and ambitious enough for the highest echelons of congressional power. Today, many member groups in the House follow this practice (Singh 1998), including the Congressional Black Caucus (which formally organized in 1971). But it was DSG that originated this unique model of leadership training dissemination among group members.

Resolving Group Conflict

If the frequent death knell of factions is an inability to reconcile internal debates between dogmatic purity and pragmatism (Schwartz 2006; Weinstein 1967), then liberal leaders carefully structured decision-making processes in DSG to avoid this fate. Decision-making mechanisms balanced member demands with the realities of the institutional environment and the group’s status as a minority faction in the majority party. They also provided a guaranteed outlet for members to participate directly in the activities of the group. DSG leaders and members were routinely responsible for making many important decisions, including what legislation or procedural reforms to support, where to devote resources, and what strategy to pursue to achieve specific agenda items. The bulk of DSG’s decisions were made in two primary ways – delegation

⁵⁹ DSG papers, Part II, box 4, folder 1.

to the executive committee, and formal votes and/or polling of the group's membership. In either case, the majority always carried.

The executive committee was tasked with making most decisions concerning internal DSG matters on behalf of the membership, especially on issues involving group resources and specific strategies. The committee met more frequently than the full membership, averaging one meeting every two weeks, with some DSG chairs electing to call meetings slightly more (in)frequently depending on their personal preferences and the congressional and DSG agenda. Each meeting was organized around a specific agenda set by the chair and executive director, but members were encouraged to contribute. Despite this collaborative atmosphere, executive committee meetings were not dominated by “aimless discussions and monologues or to be interrupted by Members who want to pursue their [personal] agendas.”⁶⁰ The meetings were intended to be action-oriented – anchored around specific events or needs of the broader membership (upcoming legislation or policy proposals, leadership races, elections, etc.) When members disagreed over a course of action (about where to devote resources, a specific strategy, whether to endorse a bill or amendment, and so forth), the committee would cast a formal vote and the majority decision would carry. DSG bylaws dictated that the executive committee may make however many “recommendations and statements regarding legislation and public policy as it considers appropriate,” but that they “shall represent the Executive Committee only and shall not be construed to represent the position of the DSG....unless said matter is approved by the membership.”⁶¹ DSG staff kept meticulous minutes of these meetings, and names and positions were recorded whenever a formal vote was taken.

The archival record of executive committee meetings suggest that the meetings not only served as a forum for members to discuss DSG issues, but also their own legislative and policy

⁶⁰ Undated memo from Conlon to Brodhead. DSG papers.

⁶¹ DSG bylaws, DSG papers, Part II, box 100, folder 4.

priorities. In an interview with a former DSG staffer who attended these meetings, he described this process in the early days of DSG:

“The idea was the chair of DSG and maybe one or two other members...would contact [executive director] Dick and say go get the members together. It’s more like a sharing [forum]...it was a pretty large group, which was good – you’re lucky when you have a meeting and you’re lucky to get a dozen. *The idea was to have some give and take.* Some issues on the take, they know they have to deal with legislatively in the weeks ahead. Just talk about it, how they wanted to handle it, how they want to [address it]” (emphasis added).⁶²

The size and diversity of the executive committee helped ensure that potential points of division were explicitly addressed and debated. DSG also had internal, informal safeguards in place to ensure that decisions about strategy and use of resources represented the interests of the full membership – and not merely the prerogative of a single or small group of leaders. Former DSG executive director Scott Lilly recalled how one of his most important responsibilities was to balance the prerogative of DSG leaders with the needs of the overall organization:

If DSG leaders came in “with something that was parochial or something that did not reflect the broader viewpoint of the membership and tried to use the organization to promote something that the organization wasn’t interested in...that was the point where the executive director was expected by the other members and the chairman to say, “No, we’re not going to do that.” [Lilly’s predecessor] Dick did that at times, and I did that at times.”⁶³

The full membership played a direct role in group decisions as well, especially in the 1960s and 1970s. When the executive committee was sufficiently divided, or when membership polls would strengthen DSG’s hand in negotiations or party debates, decisions were forwarded to members. DSG frequently conducted polls (or “questionnaires,” as referred to by members and staff) to determine which procedural reforms to advance in the Caucus, and occasionally polled members on specific policy proposals. For example, when DSG advanced pivotal reforms on issues like votes on committee chairs, recorded teller votes, or an elected whip, it was with

⁶² September 23, 2015 telephone interview.

⁶³ October 28, 2015 telephone interview.

majority support in the membership. And when poll results showed insufficient support for other proposals, such as term limits on committee chairs, televised coverage of the House floor, or Caucus procedures to instruct Democratic members of specific committee, the executive committee “declined to act.”⁶⁴ Polls imbued DSG reform proposals and recommendations with significant legitimacy; the group routinely included poll numbers indicating support for each measure by the membership, and basic statistics on the representativeness of the responses (including respondents’ seniority and geographic distribution), alongside its formal recommendations. DSG also occasionally commissioned polls of constituents in members’ districts before deciding on a collective group response, such as a 1985 poll of constituent opinion on President Ronald Reagan and various Democratic tax reform proposals.

In contrast to the practices of several prominent factions today (such as the Blue Dogs Caucus and the Freedom Caucus), DSG never bound its members to vote a certain way on any issue.⁶⁵ And indeed, many staffers interviewed in the course of this research were reticent to even acknowledge that DSG had a “policy agenda.”⁶⁶ Policy and legislative endorsements were relatively rare and limited to “matters of fundamental importance where there is at least a chance that such a recommendation might be productive, and on matters, such as House procedures,

⁶⁴ September 25, 1976 memo from Eckhardt to members re reform proposals. DSG papers, Part II, box 133, folder 4.

⁶⁵ When the group made a decision to support an item on the policy or procedural reform agenda, it was a recommendation that its members support the bill or resolution – not a requirement.

⁶⁶ Many staffers, especially those who worked on DSG’s various information and research publications, acknowledged that DSG had a procedural reform agenda, but were hesitant to say that DSG had a policy agenda. Most of these staffers, especially those employed as DSG researchers, viewed DSG strictly as an information service. However, as one staffer noted (September 22, 2016), “because DSG ultimately really was the members, it was almost [like DSG operated on] two separate tracks. Because even once they got all the reforms they got, they still...had an undercover operation” going on certain policy issues. This suggests that not only was DSG so effectively organized that the group’s staff could self-sustain the most important of DSG’s services, but that this organizational capacity then empowered members and leaders of the group to focus on policy matters. The executive committee, for example, did not need to worry about routine, everyday issues in the DSG office – they could focus their limited time and energies on developing and building up support for various liberal policy proposals.

where DSG is recognized as having a degree of institutional expertise.”⁶⁷ The number of endorsements often reflected the congressional agenda; the group endorsed 17 bills in 1965, while endorsing only 1 bill in 1977.⁶⁸ In an early example of membership polls shaping DSG agenda and strategy, DSG chairman Metcalf (D-WY) noted in a Dear Colleague letter to members in 1960 that:

*“all DSG Members were polled as to their position on this measure [to lift the 4 ½ percent interest rate ceiling on long-term government bonds] so that a unified group position could be taken. The results of the poll show that 94 percent of the DSG Members replying to our questionnaires oppose H.R. 10590 in its present form. Accordingly, at the DSG meeting yesterday it was decided that a joint letter be addressed to the Speaker, informing him of the strong opposition of DSG Members to the bill and requesting a meeting with him to discuss the matter in detail before the bill is scheduled for floor action” (emphasis added).*⁶⁹

The sequence of events and strategy outlined here by Metcalf underscores the importance of both membership polls and deliberation in DSG decision-making. Metcalf and other DSG members ultimately succeeded in not only securing a meeting with the Speaker, but in delaying consideration of the bill until it was revised.

Part of the reason why policy endorsements like the example described above were so rare is that DSG was often reluctant to commission membership polls, which could weaken their hand by providing tangible evidence that the majority did not necessarily support their position. In an interview with a longtime DSG staffer, he said that DSG would be “very wary of doing a poll because once you do it, now you’ve got this f---ing poll.”⁷⁰ DSG’s long, and ultimately

⁶⁷ August 14, 1981 letter from Brodhead to the editorial board of *the Nation*, DSG papers, Part II, box 132, folder 3. In response to criticism in the *Nation* that DSG did not advocate “a liberal position on every major bill that comes along,” DSG chairman Brodhead (D-MI) wrote that this is “because the liberals who have led DSG over the years know that most Members – liberals as well as moderates and conservatives – vote their districts on major legislation, and that, as a result, a DSG recommendation would have about as much impact on Members’ voting behavior as does the Democratic Party Platform.”

⁶⁸ “List of Issues DSG Took a Position On, 1960-1979.” DSG Papers, Part II, box 151, folder 6.

⁶⁹ February 26, 1960 Dear Colleague letter from DSG chairman Metcalf, DSG papers, Part I, box 71, folder 9.

⁷⁰ August 5, 2015 in-person interview.

unsuccessful, pursuit of legislation establishing public financing for House elections in the late 1970s provides a clear example of the negative consequences of polling members' preferences. In 1979, after the House Administration committee failed to report the bill establishing public financing, H.R. 1, the leadership requested that DSG poll its members before taking a resolution to the Caucus that would have required the Rules Committee to report the legislation directly (bypassing House Administration). The poll of Democrats revealed a lack of majority support for the bill.⁷¹ Staff memos during this period document the frustration within DSG that the poll undermined their bargaining position: "All that has been accomplished by the whip check ploy has been to put us in an untenable position and to lessen the chances for success."⁷² The House never ultimately voted on public financing legislation for congressional elections.⁷³ These dynamics also provide an alternative explanation for why Speaker Sam Rayburn chose not to use the Democratic whip system (Ripley 1964). Rayburn's negotiating position was arguably, if somewhat surprisingly, stronger without firm numbers about where members stood.

The specific decision-making mechanisms outlined above significantly strengthened DSG's capacity to negotiate with party leaders, and to engage in debates with other Democrats. But they also increased DSG's capacity to resolve conflict and produce compromise *prior* to introducing important procedural and policy matters in the Democratic Caucus. At a 1981 Symposium on the U.S. Congress to honor Speaker Tip O'Neill, long-time DSG executive director Richard ("Dick") P. Conlon said,

"Each of the various reforms was subjected to prolonged and deliberate discussion and debate in the DSG Executive Committee and at DSG membership meetings before being offered in the caucus to make sure they would work as intended and that they would not

⁷¹ DSG's efforts on public financing were bi-partisan and necessitated a not insignificant base of liberal and moderate Republican support. To many in DSG, a poll revealing a majority of Democrats opposing public financing legislation (in the form of H.R. 1) did not provide an accurate depiction of the current legislative environment because any bill passed on the floor would be passed with Republican support.

⁷² June 6, 1979 memo from Conlon to Obey re H.R. 1. DSG papers, part II, box 133, folder 5.

⁷³ This policy proposal will be analyzed in more detail in chapter six.

have undesirable side effects. As a result, virtually all of the major DSG reforms were approved as initially offered” (1981, 241).

If DSG struggled to unite their own members behind a specific proposal or course of action, they could hardly expect to unite all Democrats behind the same proposal. This was an institutional and organizational imperative for a group that frequently constituted a minority of Democrats. Returning to Figure 3.1, it is notable that even during the height of reform at the start of the 94th Congress, the group did not comprise more than 45% of Democrats. Given that liberals (and DSG members) were notorious members of the so-called Tuesday-to-Thursday Club (Sheppard 1985), DSG found it difficult just to mobilize their strongest allies – let alone lead a campaign to mobilize and persuade non-members.⁷⁴ The group’s minority status and the hurdles to mobilization elevated the importance of the decision-making mechanisms outlined above, promoting the internal group unity critical in order for the group to construct winning majority coalitions on the House and Caucus floor.

Despite many members’ desire for faster and greater liberal policy gains, the mechanisms established by DSG fostered shrewd pragmatism in the group. Adherence to an incremental strategy of change – though widely recognized as effective (Rohde 1991) – occasionally led to critiques that DSG was too slow-moving and not extreme enough in their activities.

Nevertheless, the majority of active DSG members did not share this view – in a 1977 survey of the DSG membership, only 8 of 110 members reported that DSG was not “activist enough.”⁷⁵

These internal mechanisms were developed to resolve conflict between members, and –

⁷⁴ The “Tuesday-to-Thursday” Club refers to those members who are routinely not available or present in Washington, D.C. and/or on Capitol Hill, except on Tuesday, Wednesday and Thursday when votes are usually scheduled and committee (and party) meetings are routinely held. These members usually spend the rest of their time home in their district (or engaged in other activities around the country).

⁷⁵ May 13, 1977 memo from Mikva to members re responses to DSG questionnaire. DSG papers, Part II, box 133, folder 4.

especially on important reform issues – these procedures usually succeeded in unifying members behind a specific course of action.

Communication & Information Sharing Tools

The formal structures of the House provide party and committee leaders with a set of tools, including agenda-setting power, and information and communications services (Kingdon 1989; Evans 2004; Cox and McCubbins 2005), to pursue their policy goals. In the 1950s and 1960s, these tools were often used to suppress consideration of many of the policy goals prioritized by liberal members. DSG strategically developed their own tools to challenge these biases and support the adoption of liberal policy goals. Among them, liberals developed the DSG Campaign Fund to provide liberal candidates with funds, activities and services; a whip system to mobilize members to come to the floor for key votes; and information networks to provide their members with unbiased policy and legislation research. These tools were effective instruments through which DSG distributed precious resources and services to their members and empowered them to collectively articulate liberal interests. But they also served as the central linkage between DSG's organizational strengths and the group's broader membership.

Almost immediately after the group's founding in 1959, DSG developed its whip system under the office of the secretary. Shortly thereafter, liberals used the system to mobilize their allies in their "first floor engagement" on the 1959 Civil Rights Act – which is representative of the broader policy issues most commonly addressed by the whip system.⁷⁶ Throughout the

⁷⁶ Undated 1960 memo, DSG papers, part II, box 151, folder 6. "The coordinated DSG effort in support of the civil rights bill represents our first floor engagement. In many ways, it was an experimental pilot operation. Mistakes were made. Some techniques worked, some didn't. All in all, we have obtained valuable experience which will help in the coming fights for other measures in our DSG legislative

1960s, liberals would use their whip system, which emphasized personal, member-to-member lobbying to mobilize members on behalf of a variety of policies, including the 1964 Civil Rights Act and the 1965 Voting Rights Act.⁷⁷ DSG organized their whips geographically, pioneering what was called the “buddy system” whereby whips would stay on the floor throughout the entire debate on amendments and notify a list of members when they needed to be present. This was a considerable task as debates on amendments (especially on major legislation) frequently took several hours, but it was the only method through which whips could know exactly which votes liberal support was most needed, and the precise time when votes would occur. After the introduction of recorded teller votes (and the further development of the Democratic whip system) in 1970, DSG refined their whip system as the primary tool through which membership polls and counts were conducted. These polls and counts guided group decision-making, but they also empowered DSG leaders to advocate on behalf of the group. For example, DSG’s emphasis on unbiased whip polls (weighted to account for liberal bias) often gave them leverage in negotiating with the leadership who relied on Democratic counts that were susceptible to conservative bias (and did not always weight results based on differing responses rates).⁷⁸ From civil rights legislation in the 1960s, to procedural changes in the 1970s, to budget issues in the

program.” This memo provides early evidence that DSG leaders always sought to reflect on their past efforts – successes and failures – and apply those lessons to future fights.

⁷⁷ See chapter seven for more information about the policy focus of DSG whips. The personal relationship between whips and their assigned members was so important that whenever a whip was assigned their list of members, they were instructed to review the names. If their personal relationship with any member was weak (for any reason), the whip was to notify DSG staff who would reassign the member.

⁷⁸ For example, in budget negotiations with the leadership in 1983, DSG’s whip poll gave liberal leaders leverage in negotiating with the leadership to pressure Ways & Means to include alternative options to meet budget reconciliation goals (September 29, 1983 executive committee meeting minutes, DSG papers, Part II, box 7, folder 8). DSG’s poll (which was weighted to eliminate liberal bias) surveyed more options than the leadership (which surveyed only 3), and was apparently deliberately non-specific in their poll so that Ways & Means “wouldn’t get pressured to include things in the tax package.” DSG’s whip poll would ultimately enable them to help craft a committee amendment known as the Pease-Gephardt-Moody-McHugh amendment (McHugh was DSG chair at the time), which would have raised \$32 billion over three years (White and Wildavsky 1990). The amendment was ultimately not adopted (65 Democrats voted against the rule), but the consideration of the amendment itself is significant given Ways & Means Chairman Rostenkowski’s opposition to any amendments on his committee’s bills.

1980s, DSG's whip system empowered liberal leaders to construct successful legislative coalitions on key issues of interest to their members.

Ultimately however, the success of these coalitions and the whip system was dependent on efforts inside and outside of Congress to increase the number of liberals in the House. DSG was keenly aware that liberals' minority status limited the strategies available to them to achieve their policy goals.⁷⁹ To increase the number their likeminded allies, they established the DSG Campaign Fund in the early 1960s to support liberal candidacies, especially in competitive districts.⁸⁰ The Campaign Fund served as an apparatus through which DSG could distribute monies and services to fledging liberal campaigns. In addition to draft speeches, opposition research and other information, the Campaign Fund also leveraged individual connections and subsidized the cost for members to capitalize on new media in their campaigns. For example, in 1968, the DSG Radio-TV subcommittee led by Reps. Lester Wolff (D-PA) and Tom Rees (D-CA) (whose California district contained Hollywood agencies) wrote to members offering their services to coordinate an effort to obtain movie stars, including Henry Fonda, Ralph Bellamy, and Gregory Peck, to record radio commercials for DSG members running for re-election.⁸¹ DSG also invited public relations experts and held seminars on topics like "How To Make the Most of Your Television Appearance," which included instruction on make-up, posture, and lighting.⁸² These were all critical services for liberal members from competitive districts that were not provided by the Democratic campaign committee at the time.

⁷⁹ For example, shortly after organizing the group in 1959, liberals decided that absent the votes to pursue formal rules changes, they would focus for the time being on "working within the Rules of the House." December 30, 1960 DSG meeting notes (2pm in the hearing room of the George Washington Inn), DSG papers, Part II, box 159, folder 2.

⁸⁰ I have not been able to establish an exact organizing date for the DSG Campaign Fund, however the group was first active in congressional elections in 1964.

⁸¹ Undated 1968 memo from Les Wolff to DSG Members. DSG papers, Part I, box 90, folder 2.

⁸² Campaign Work Strategy, 1968. DSG Papers, Part II, box 6, folder 3.

Over time, DSG evolved to meet members' other campaign needs. DSG began a polling service which provided at-cost polling services to campaigns that would otherwise struggle to obtain the resources necessary to conduct polling. Political scientist Thomas Mann spearheaded DSG's polling efforts in the 1970s and recalled how they marshaled minimal resources to provide a significant service for candidates:

“There was no budget – I came cheap back then. We used volunteer interviewers that we trained in districts. I hired a Catholic nun graduate student at Georgetown to do data processing for me and produce tables that I used to write up our reports. But what it allowed them to do was provide assistance to challengers who had modest budgets and couldn't afford to hire and pay for polling.... They [Members] just look back on it, and they look back on it as a really important part of their election to Congress. It was really quite an extraordinary list of people because so many of them were successful...It was amazing because when you do it this cheaply, you're drawing samples that wouldn't be acceptable now, using telephone directories when lists of registered voters weren't available...[we had] at least aspirations of rigor. We produced some useful materials for Members, and it was certainly better than ‘the seat of the pants’” operation campaigns were running.⁸³

In addition to the critical poll service, DSG also began a loan service to candidates whereby DSG raised a rotating pool of funds that made small loans to the campaigns of liberal Democrats. The loans only had to be paid back if the candidate won the race (they were forgiven otherwise). While it would be difficult, if not arguably impossible, to isolate the effects of DSG campaign support on the likelihood of winning re-election from the 1960s-1980s, liberals clearly developed and employed the Campaign Fund to subsidize the cost of running for election to the House for their fellow liberals. DSG's support strengthened the candidacies of Democratic candidates and incumbent members alike. The early development of these campaign resources and services – much earlier than similarly developed by party committees – suggests that many liberals' campaigns would have been (all else equal) weaker without DSG's support.

⁸³ November 17, 2015 telephone interview. Mann worked as an APSA Congressional Fellow for Rep. James O'Hara (D-MI).

Arguably the most important and long-lasting tool developed by DSG was their innovative information and research services, which empowered liberals to intelligently articulate and represent their constituents' interests.⁸⁴ In the 1950s and 1960s, junior liberals were reliant on the largely unhelpful information provided by committees, the leadership, and the Library of Congress. In contrast, DSG's information was designed in line with what Kingdon (1973) described as the most "usable": "predigested, explicitly evaluative information which takes into account the political as well as the policy implications of voting decisions" (227). DSG developed a range of information services to enable liberals to participate in the legislative process, including a variety of policy and legislative research distributed to members on a daily, weekly and monthly basis, depending on the publication, the complexity of the issues involved, and the congressional schedule.

Nearly all of DSG's research was considered partisan until Dick Conlon was hired as executive director in 1968.⁸⁵ Conlon's background as a journalist, including stints with the *Minneapolis Tribune* and the *Duluth Herald & News Tribune*, shaped his approach to DSG's research services. He strived to provide a comprehensive representation of policy issues before the House. Among the publications was the *Legislative Report* (which summarized all major legislation scheduled for House action in a given week), *Fact Sheets* (which provided in-depth analyses of major legislation scheduled for House action), *Special Reports* (which analyzed controversial issues and legislation from a Democratic perspective), and *Staff Bulletin* (which distributed draft constituent letters on major legislation/issues, and requests by members for new cosponsors to their legislation). Of the four major publications listed above, only the *Special Reports* adopted an overt Democratic or liberal ideological approach.

⁸⁴ DSG research services began in the early 1960s but did not fully develop until the late 1960s/early 1970s.

⁸⁵ The partisan nature of DSG's research services in the 1960s explains why no Republicans became research subscribers until the early 1970s after Conlon spent a couple years developing DSG's reputation for non-partisan research.

In an interview with a long-time DSG staffer who worked on the research publications, he said the purpose was “to gird them [members], not to influence them.” The goal was not necessarily to change how they voted, but to enable them to vote “as if he [she] were informed” (Kingdon 1973, 74). He went on to describe the staff’s approach to DSG’s research services:

We “started with the assumption that they [members] were going to be uninformed about the bill – the details, about why it is controversial. That the members came to the floor ignorant, and if they’re ignorant, they are either going to be puppets of the whip or do something stupid. We say our job is to let them know ‘here is the problem,’” rather than to tell them how to fix it.⁸⁶

DSG’s research subsidized the cost for members (and their staff) to remain informed on issues, including simple, straightforward summaries of all legislation in which they cast votes, the position of relevant interest groups and the Administration on any given bill, a description of the parliamentary situation in which the bill would be debated, and a concise summary of the major points of controversy related to a bill.

But more critically – as the quote above captures – the research services made it possible for liberal members to cast votes supported by verifiable information. Informed of the real policy and electoral implications of casting a “yea” or “nay” vote, members were less susceptible to leadership or committee pressure (and arguably presidential pressure (Kernell 1997)). And they could defend their votes to their constituents with concrete, demonstrable evidence, rather than party talking points – members cast knowledgeable, informed and *defendable* votes.

From Organization to Action

Liberal Democrats have a well-deserved place in recent history as a model for group-driven institutional change in Congress. But the role of the organization they developed to

⁸⁶ August 5, 2015 in-person interview.

advocate on behalf of their shared interests remains poorly understood. What role does group organization play in enabling policy, procedural, and leadership change in Congress?

The next three chapters test the organization-action model of institutional change in three critical processes within Congress in the late twentieth century and beyond: leadership emergence, procedural reform, and legislative policymaking. In each chapter, I argue that DSG's organizational features enabled liberals to capitalize on their existing numerical strength, while providing the resources and tools necessary to compensate for liberals' minority status within the party for much of the mid-twentieth century. DSG's successful pursuit of their procedural, policy, and leadership change agenda throughout the mid-twentieth century is due as much to their organizational strength as their increased size and internal ideological cohesiveness within the House Democratic Caucus.

I begin with the role of DSG in expanding leadership pipelines to accommodate ambitious junior liberals.

4 | Informational Asymmetries in the Textbook Congress

In most accounts of the textbook era Congress, the seniority system is the lynchpin of power differences between liberals and conservatives. Liberals' under-participation was a function of their seniority and seniority alone. But weak party organization and strong committee autonomy suppressed liberal participation at every turn, and in every level of congressional organization, from committees to the House floor and the Democratic Caucus. Junior liberals had weak knowledge of the rules, procedure, and precedents that shaped their right to participate in legislative debate and party politics; they had limited information on the content and context of the legislative agenda; and they had weak information on the upcoming legislative schedule. These asymmetries made it difficult for liberals to protect their parliamentary rights to participate, to know the high stakes of their participation at any given moment, or to anticipate and plan for opportunities to meaningfully participate in legislative and party affairs.

Organizational norms in Congress ostensibly promote the free flow of information between and among members of Congress and outside experts (Cox and McCubbins 1993; Krehbiel 1991; Adler and Lapinski 1997). But party and committee leaders have a strong incentive to limit the availability of quality legislative information and political intelligence, especially in the House of Representatives. In the 1950s-1970s, leaders often suppressed the flow of information when access by rank and file members posed a challenge to the party brand, or their own power or preferred policy outcomes. In most cases, senior conservatives had access to greater – or simply higher quality – information than junior liberals. In others, the lack of access to information by *all members* reinforced existing power asymmetries *between members*. Collectively, these informational asymmetries between liberals and conservatives posed just as much of a hurdle to better representation of liberal policy goals as the seniority system itself.

This chapter analyzes informational asymmetries between members in the textbook Congress, and how differential access to legislative information motivated successive generations of liberal Democrats to organize throughout the 1960s, 1970s and beyond. I argue that informational asymmetries between party leaders, committees, and rank and file members, suppressed the participation – and representation – of liberal interests in the House. Weak party organization and strong committee autonomy limited the flow of quality information and communication between members, committees and party leaders. Liberals knew little about the content of legislation and proposed amendments, the position of relevant constituency and interest groups, the terms of legislative debate and consideration, and the legislative schedule. Their senior, conservative colleagues often not only had better information by sheer virtue of their committee leadership position, but they exercised their influence with the leadership to discourage the flow of information on controversial policy issues.¹ Ultimately, I conclude that party leaders' strict adherence to the "joint agreement" to protect the party brand (Cox and McCubbins 2005) drove liberals to break the agreement. In the prior chapter, I explain how liberals developed specific organizational features in 1959 and beyond; here I explain why liberal members made the decision to devote resources to organization in each successive congress. The suppression of information in nearly every aspect of congressional and party organization explains not only liberals' decision to organize the Democratic Study Group (DSG), but also the depth, strength, and longevity of the organization cultivated by the group's leaders.

¹ In the rare cases where information availability was limited for all members, it tended to reinforce existing power differences between senior conservatives and junior liberals.

Parliamentary Precedent & The Right to Participate

Congressional scholars widely note that junior members' right to participate in committee work was often infringed upon in the textbook Congress (Polsby 2004; Hall 1998).

Parliamentary procedure provides order for the often-chaotic legislative process, but it also protects individual members' right to participate in legislative affairs. In the textbook Congress, amateur organization and leader prerogative limited the rare guaranteed opportunities for junior members to participate in the legislative process and party affairs. Junior members were unable to gain access to parliamentary resources, which would have empowered them to protect their individual rights to participate in legislative debate, and to develop legislative strategy on issues important to their constituents. Senior members' longer terms of service in the House simply gave them greater first-hand parliamentary experience. And of course, junior members had almost no opportunity to participate in party business and agenda development in the textbook Congress; leaders relied on an informal network of advisers and friends to develop policy. And even after regular meetings began, it took many years for the Democratic Caucus to develop rules and procedures governing party power and decision-making.

Parliamentary Precedent. Access to parliamentary precedent provided one of the most difficult, and least well known, barriers to liberal participation in the textbook Congress. In theory, all members – regardless of their seniority or majority party status – can access House procedure, and consult with procedural experts in Congress (Kravtitz 1990). The House adopts a set of rules at the beginning of every Congress, which each member can easily obtain. But mastery of these rules and their application comprises one of the steepest learning curves for new and junior members of Congress. They shape not only whether members can participate in legislative and party affairs, but also how they can participate. The House Parliamentarian is responsible for ensuring that the legislative process and debate adheres to House rules. While the

Parliamentarian is a Speaker-appointed position, the position is independent and the holder is responsible for protecting all members' rights and capacity to participate in the legislative process (Bolling 1966). The office maintains an attorney-client relationship with members and their staff, and any member's office can call the Parliamentarian's office to receive help on the development of legislative strategy.²

The democratic legislative ideal described above assumes that any member can compensate for their weaker first-hand experience with House procedure through study and consultation with experts. In the textbook Congress however, this ideal was unattainable to most junior liberal members. Rather, junior members lacked access up-to-date House precedents throughout the 1950s and 1960s (Bolling 1966). And existing norms, including the Speaker's control of the Parliamentarian's office and the seniority system, made it very difficult for junior members to receive legislative strategy advice, or gain the firsthand experience necessary to protect their individual right to participate.

The Parliamentarian is responsible for maintaining a formal record of how the rules have been enforced in prior legislative debates, but members in the 1960s only had access to the precedents as they existed in the New Deal era (Kravitz 1990, 381).³ House rules are nearly impossible to understand without the accompanying compilation of House precedents, or a historical record of how the rules have been interpreted and applied in specific legislative debates. These "precedents" explain what difficult to understand House rules mean in practice. Until the publication of what was called Deschler's Precedents in 1973, longtime House Parliamentarian

² February 16, 2016 in-person interview with former House Parliamentarian, Charles Johnson.

³ Cannon's Precedents were published in 1936, however this volume included very little after 1933. Kravitz (1990, 381) recounted that the only updated precedent available to members was in "House Manual," but "there only in the form of annotations that were often inadequate and sometimes terse to the point of incomprehension for anyone other than an expert." Today, statute directs the Parliamentarian (and provides for additional staff support) to update the precedents every five years.

Lewis Deschler kept the official record of parliamentary rulings of the Speaker on loose-leaf indexed material in his personal office. There was no bound book of updated precedents – as there is today – for members and their staff to keep in their own offices and consult whenever they wanted to learn how a given rule would be interpreted and applied.

All members, regardless of seniority, ideology, partisanship, or majority party status, were directly impacted by access to parliamentary precedent. In 1969, Republican Rep. Paul Findlay (R-OH) argued that the availability of precedents handicapped members' participation in a November 1969 press release:

“The lack of an up-to-date compilation for use by individual Members greatly erodes our ability effectively to represent our constituents. In a very real sense, it strikes at the heart of our representative system of government. The absence of current published precedents means that *the views of some duly elected Members of Congress will not be heard in this body* because *the precedents which protect their rights* and require that they be given a fair hearing *are not known by the Member who would use them*” (emphasis added).⁴

Despite the implications of precedent access for all members, senior conservatives – and party leaders – were the beneficiary of these institutional conditions. Senior members simply had more personal experience participating directly in legislative debate. The seniority system promoted not only their control over committee leadership offices, but gave them greater experience managing floor consideration of legislation under their committee's purview. Subcommittee and committee chairs always served as floor managers on the floor for legislation under their committee's jurisdiction – arguably the single most useful experience available to members wanting to develop their parliamentary skills.⁵ Floor managers gained hours of first-hand experience absorbing how rules and procedures shape the content of legislation, and how members can successfully (or unsuccessfully) advocate for their interests and rights, on the floor.

⁴ November 20, 1969 Press Release, Rep. Paul Findlay, DSG papers, Part II, box 160, folder 13.

⁵ February 16, 2016 Interview with Charles Johnson. This continues to be true today.

Limited precedent access was also a critical component of the Speaker's agenda-setting power. Rep. Thomas Rees (D-CA) recounted how liberal amendments opposed by the leadership were frequently ruled out of order in the 1960s because of the Speaker's extraordinary access:

“...the parliamentarian was always at the speaker's side.” “...you can't win because he's [the Speaker] got the law books and all the precedents. The precedents weren't printed up past 1938, so you had to go to the parliamentarian to find out what the latest precedent was and he knew damn well what you were trying to do. He was advising the speaker.”⁶

The Speaker also exerted at least some control over how much help the Parliamentarian provided to members. On occasion, Speakers Sam Rayburn (D-TX) and John McCormack (D-MA), might direct the Parliamentarian and his deputies to be deliberately unhelpful to members and their staff. In *House Out of Order*, Bolling recounted how if the Speaker disapproved of a member's planned legislation, “Deschler was not helpful...faultlessly polite but totally uninformative and about as helpful as a deaf mute” (1966, 113). In other cases, if a staffer called the Parliamentarian's office to request help for a member's bill or amendment that the Speaker would rather keep off the floor, the staffer might be told that their member needed to come down personally to receive help on that matter.⁷ This was not only a time intensive burden for busy members, but it was akin to showing “the opposition what our game plan was” ahead of time, as Rep. Rees (D-CA) said. For the Speaker, these tactics provided an informal means through which the Speaker could protect the “party brand” and suppress legislation that might publicize divisions among party members (Cox and McCubbins 2005).

The several decade-long delay in updating parliamentary precedent – and its far-reaching consequences for members – was not lost on either Congress or the Parliamentarian himself. Legislative appropriations bills began providing funds for the compilation of the precedents in the

⁶ Oral History Interview, California State Archives, State Government Oral History Program, December 10-11, 1987.

⁷ February 16, 2016 Interview with Charles Johnson.

mid-1960s, including \$10,000 in 1965 (the equivalent of \$77,100 in 2017) for additional resources and staff support.⁸ The project however, faced numerous delays and was not completed until 1973. In the forward to what was known as Deschler's Precedents, the Parliamentarian himself specifically noted the implications of the volume for junior members. He wrote, "In the past, *the older and more experienced members have held an obvious advantage over younger Members* who had not yet mastered the necessary parliamentary skills" (1971, IX-X, emphasis added). The new compilation was intended to subsidize the time and resources necessary for these "younger members" to develop parliamentary expertise. While members' understanding of precedent still proved difficult, the publication of Deschler's precedents brought an end to the parliamentary information vacuum of the textbook Congress.

Democratic Caucus Bylaws & Rules. The institution of regular monthly meetings of the Democratic Caucus while Congress is in session in 1969 was a watershed moment for Democrats. It created a new opportunity for rank and file members to participate in party business and the development of party policy that did not exist previously. Almost immediately however, weak organization and informational asymmetries between members about the power of the Caucus to shape rules and policy outcomes weakened the capacity of the Caucus to fulfill its new responsibilities.⁹

Democratic Caucus rules – just like House rules – govern the consideration of party business, and protect individual members' right to participate. Very few of these rules were

⁸ Of course, Deschler's singular knowledge of House rules made it difficult for him to devote the time necessary to compiling and updating the precedents during the busy legislative schedule. He had the dual responsibilities of assisting members on the floor, while also compiling and organizing some 30-40 years of congressional precedent.

⁹ In theory, the Caucus was intended to allow facing the party both inside and outside of Congress, to allow for interaction between party leaders and rank and file members, and – for liberal reformers – the consideration of rule and procedural changes that would alter the balance of power and policy outcomes within the House.

formally etched into party bylaws – or implemented – during the Caucus’s transition from a procedural coalition to a true party organization (Schickler and Rich 1997; Rohde 1991). This is an unsurprising byproduct of the absence of an official Caucus budget, office-space, or staff, until 1975.¹⁰ Nevertheless, the lack of widespread agreement about rules governing Caucus business and decision-making significantly weakened the capacity of the Caucus to serve as a forum for members to engage with each other about party business, especially junior liberals. And it was advantageous for senior conservatives who preferred strong committee autonomy; the disorganization of the Democratic Caucus weakened the party’s ability to check committee power.

In the 1950s and 1960s, the Caucus met for about an hour once a Congress to elect party leaders, and then promptly adjourned; in part, of course, to protect against consideration of issues that might bring conflict between members to the fore. Basic guidelines were established to govern these meetings, including the role of Caucus Chair as presiding officer and Secretary as official record keeper. The introduction of regularly monthly meetings of the Democratic Caucus (while Congress is in session) in January 1969 brought about almost immediate chaos and confusion. New questions emerged about the overlap between party and committee business that had not before. Were committees allowed to schedule meetings during the Caucus? And if not, would committee chairs (who held the power to set committee schedules) be punished if they called a meeting anyway? Was a vote by the Caucus to instruct legislative committees binding on Democratic committee members?

¹⁰ Caucus meetings were held on the House floor (as they are today). December 15, 1970 letter from Democratic Caucus Chair Dan Rostenkowski (D-IL) to Democrats. DSG papers, Part II, box 136, folder 11. Rostenkowski noted that “all expenses are carried by my own Congressional office.” During this same time period, the Republican Conference employed two full-time workers. The Caucus began receiving legislative appropriations in 1975.

Democrats even struggled to figure out how to apply rules providing for a quorum for the conduct of party business. At the May 14, 1970 meeting, only 97 members showed up, which fell short of the required “majority of Democrats” necessary for the consideration of the meeting’s agenda. Members in attendance then spent a full 57 minutes – just shy of the normal hour reserved for regular meetings – debating whether the party could *even* entertain a motion to adjourn because they did not have a quorum. Eventually, the Caucus adjourned under a voice vote.¹¹

As implemented, quorum rules significantly limited the role of the Caucus as a forum for rank and file members to engage with one and other, and their party leaders. If a single member wanted to end a Caucus discussion or debate, all they had to do was raise a point of order that a quorum was not present.¹² The Caucus delayed a decision to forbid committee chairs from scheduling committee meetings at the same time as Caucus meetings, but finally forbid the practice in 1972. The restriction did not stop the practice, however and many members continued not to attend Caucus meetings in favor of committee meetings well into the 1980s.¹³ Liberal members who were more likely to support the role of the Caucus as a check on committees had to make a choice – participate in committee meetings or Caucus meetings. Many members chose to participate in committees, which had a more direct bearing on their re-election (Mayhew 1974).

¹¹ Journal of the House Democratic Caucus, May 14, 1970, House Democratic Caucus papers, box 2, folder 23.

¹² This would spur a quorum call, which often ended the meeting before any party business was actually addressed. And for the first three years of the Caucus, the party had no mechanism to inform and notify members that a Caucus quorum call was in progress (although the meeting itself was undoubtedly scheduled in advance). In July 1971, the Caucus settled on a telephone system that would notify all Caucus member offices, and give members 20 minutes to show up and be counted. Journal of the House Democratic Caucus, July 20, 1971, House Democratic Caucus papers, box 3, folder 15.

¹³ September 17, 1984 letter from Caucus Chairman Gillis Long (D-LA) to Tip O’Neill (D-MA) re suggestions to improve Caucus meetings. DSG Papers, Part II, box 140, folder 10.

Other Caucus rules were still developing as well. The leadership was not required to notify members about items on the Caucus agenda in advance of meetings and members often remained uninformed.¹⁴ In a 1970 letter to Democrats at the end of his tenure as Caucus Chairman, Dan Rostenkowski (D-IL) suggested that the absence of a Caucus budget limited the distribution of the Caucus agenda. The Caucus would not receive legislative appropriations until 1976. In addition, individual members were not originally empowered to place a resolution, or notice a topic for discussion, on the Caucus agenda either.¹⁵ While the rights of individual members to help shape the Caucus agenda was eventually written into the party bylaws, the Caucus chairman had considerable prerogative to decide the order of agenda items. Though a member was guaranteed agenda *space*, they were not guaranteed agenda *time* – meetings were often adjourned before some members’ proposed items were even addressed.¹⁶

Caucus Resolution Ending Funding for the Vietnam War. A protracted 1971-1972 series of votes on several anti-war resolutions exemplifies the chaos of the Democratic Caucus’s early days. Rep. Bella Abzug (D-NY), a staunch critic of the Vietnam War, proposed several “end-the-war resolutions” in the spring of 1971, including one that was eventually adopted on March 31, 1971. Abzug feared that the March resolution would lead to “a year-long prolongation of the conflict in Indochina [Vietnam],” and noticed a stronger resolution to be considered at the April Caucus (Oleszek 1973, 34).¹⁷ Many Democrats – wishing to avoid discussing and/or voting on an “end-the-war” resolution – simply failed to show up for the monthly meetings. Committee

¹⁴ March 17, 1971 Memo from executive director Conlon to Chairman Phil Burton (D-CA) re complaints about lack of notice: “...The caucus agenda is also generally unavailable. We get many calls from Members about what is coming up in the caucus, but it has become almost impossible to get any solid advance information on the caucus agenda.” DSG Papers, Part II, box 26, folder 12.

¹⁵ November 20, 1986 Special Report, “Reform in the House of Representatives,” Part II, box 135, folder 8.

¹⁶ Unfortunately, the Caucus Journal does not document meeting agendas; only those items that were debated and voted on appear in the Journal.

¹⁷ March 14, 1973. Walter J. Oleszek, “Party Caucuses in the United States House of Representatives,” Congressional Research Service, pg. 34. DSG papers, Part II, box 137, folder 4.

chairmen repeatedly scheduled meetings during the Caucus to discourage liberals from participating (and thereby establishing an undesirable precedent for Caucus control over committees).

After three months of “no quorum” meetings, Caucus Chairman Olin Teague (D-TX) called a “caucus on the Caucus,” which led to the adoption of several changes designed to address lingering organizational issues (Oleszek 1973).¹⁸ This package of reforms was adopted on July 20, 1971, and included changes to empower the Caucus Chairman to set the “order of business” and cancel meetings with notice, as well as prohibiting chairmen from scheduling monthly meetings or hearings during the regular Caucus. The party also wrote it into the bylaws that members, absent a quorum, could continue to meet “for purposes of discussion”; however, the only motion in order would be a “motion to adjourn.” In other words, Democrats could debate the merits of Abzug’s end-the-war resolution, but they could neither vote on nor table the motion.

In 1972, the Vietnam War remained one of the most important issues before the Congress and the Democratic Caucus. In April, Democrats approved another resolution condemning the North Vietnamese for the invasion of South Vietnam, and directed the House Foreign Affairs Committee to write legislation within 30 days to terminate “all U.S. military involvement in and over Indochina.”¹⁹ A resolution to denounce the Nixon Administration was originally noticed for Caucus consideration by Rep. Robert Drinan (D-MA), who ran for Congress in 1970 on an anti-war platform. The resolution was ultimately sponsored by several members, and later branded the “O’Neill resolution” after the whip, Tip O’Neill (D-MA), spoke out in support.

The text of the resolution was amended during the Caucus to reflect both opposition to Communism and opposition to the policies of President Richard Nixon, which helped garner

¹⁸ “Party Caucuses in the United States House of Representatives.” DSG papers, Part II, box 137, folder 4.

¹⁹ May 1, 1972 Dear Colleague letter from O’Neill, DSG papers, Part II, box 172, folder 11.

Speaker Carl Albert's (D-OK) support. Despite these changes, the content of the resolution was not nearly as contentious as the test it represented over how to interpret and apply Caucus Rule 7.²⁰ Rule 7 provided that if two-thirds of Democrats present (and constituting a quorum of the full Caucus) voted on a matter of "party policy" to instruct Democratic members of a legislative committee, the decision was binding on those members. In other words, Democratic members of the committee were required to support the decision of the Caucus (and as the majority party, to ensure committee output reflected Democratic consensus).

A clear majority of Democrats attended the April Caucus – the first component necessary for Rule 7. The leadership even conducted a rare special lobbying effort for the vote, specifically requesting that committee and subcommittee chairmen not hold meetings that would preclude members from attending the Caucus.²¹ The lobbying effort was notable because the leadership frequently cancelled regular Caucus meetings in the 1970s to avoid discussing controversial issues that would divide the party (as the anti-war resolution was likely to do). However, many committee chairs failed to show up for the vote, including Foreign Affairs Chairman Thomas E. Morgan (D-PA). 6 other Foreign Affairs members also failed to show up, including Rep. L.H. Fountain (D-NC), Cornelius E. Gallagher (D-NJ), Robert N.C. Nix (D-PA), John C. Culver (D-IA), John W. Davis (D-GA), and Ronald Dellums (D-CA) (another four voted against the resolution). Liberal supporters of the measure struggled to force a Caucus vote on the substantive merits of the resolution, but eventually succeeded.²² The vote was 144 to 58 in favor of the

²⁰ The vote was also widely viewed as a vote to set party precedent of Caucus-dominance over legislative committees.

²¹ April 18, 1972 memo from the House Democratic leadership (Reps. Carl Albert (D-OK), Tip O'Neill (D-MA), Hale Boggs (D-LA), and Olin Teague (D-TX)) to all Committee Chairs. DSG Papers, Part II, box 172, folder 11.

²² DSG chairman and staunch anti-war liberal Phil Burton (D-CA), a cosponsor of the resolution, was active in the effort to secure a vote on the resolution. In an April 21, 1972 letter from David Cohen, Director of Field Organization for Common Cause, to Burton, Cohen gave Burton credit for the successful vote: He wrote, "you were absolutely great in making sure that the O'Neill Amendment was voted on and the previous question finally put to a vote so that the Caucus Resolution would achieve final passage...In

resolution, with Speaker Carl Albert (D-OK) and Majority Leader Hale Boggs (D-LA) joining O'Neill to support it.

Shortly after the vote, Caucus Chairman Teague sent a letter to all Democrats which suggested that the vote itself – a clear rebuke of the president's foreign policy – was not in fact binding on Democratic Foreign Affairs committee members. Many Democrats were furious. Rep. Drinan sent a letter to Speaker Albert criticizing Teague's determination:

“I must say that I cannot understand how the Chairman of the Caucus could conclude that the matter involved in the 144-58 vote did not involve “party policy.”...I am sure that you are aware of the deep determination and enormous amount of work carried out by many Members of the House of Representatives to bring about the result arrived at by the Democratic Caucus on April 20. *I am not about to see all of this work eroded by the decision of the Chairman of the Caucus*, -- a decision which in all candor is incomprehensible and totally unacceptable” (emphasis added).²³

In addition, Rep. O'Neill (D-MA) sent a Dear Colleague letter re-asserting that the intention behind the resolution was to “direct” the Foreign Affairs Committee “in order that the House might have an opportunity to vote directly on this vital matter.”²⁴ In response to the confusion – and undoubtedly conservative opposition – Teague requested that the Library of Congress investigate whether the vote bound Democratic committee members. Nearly a month after the vote, the American Law Division affirmed that the vote was binding because the 144 members who supported the resolution constituted more than two-thirds of those present and voting (or 135 members). Teague undoubtedly could have arrived at this conclusion absent the investigation of the Library of Congress.

Party rules (just like House rules) have significant power and policy implications.

Funding for the war in Vietnam was one of the most contentious and significant issues to come

our own briefings of the press, we told them about your critical role. We obviously had the votes, and you were tremendous in preventing the “bulls” from taking it away from us.” DSG Papers, Part II, box 133, folder 2.

²³ April 25, 1972 letter from Drinan to Speaker Albert, DSG Papers, Part II, box 172, folder 11.

²⁴ May 1, 1972 Dear Colleague letter from Tip O'Neill, Part II, box 172, folder 11.

before the Democratic Caucus in the 1970s, but the debate was arguably meaningless without members' strong understanding of their own parliamentary rights. While the Democratic Caucus chair may have been confused about how to apply a rule that had been on the books for years (or perhaps simply wanted to delay its enforcement), Drinan's letter speaks to the importance of *individual* knowledge of rules and procedure. As a freshman, Drinan was empowered to challenge Teague, as well as Foreign Affairs Chairman Morgan (D-PA), precisely because he knew that his – and other Democrats' – right to participate were infringed upon by a misapplication of Rule 7.

While scholars tend to view the Caucus's adoption of new rules and procedures as singular, overnight changes, the Caucus's early years were dominated by discussions over how to interpret and apply existing party rules. The capacity of the Caucus to serve as an outlet for members' participation (and a check on legislative committees) is a function of members' knowledge of existing rules and procedure. Struggles over the meaning of a quorum, or the relationship between committee and the Caucus, effectively eliminated a key outlet for members to participate in party affairs and the development of party policy.²⁵ For junior liberals without the power to participate or set policy *within* committees, the weakness of the Caucus was even more damning.

²⁵ Struggles over obtaining a quorum and the interaction between the Caucus and committees would continue throughout the 1970s and into the 1980s, and did not go unnoticed by the press where coverage often lamented the failure of the Caucus to settle these differences (September 21, 1981, "Remember the Caucus," *National Journal*, Michael J. Malbin, pg. 1642. DSG Papers, Part II, box 135, folder 5). In 1984, outgoing Caucus chairman Gillis W. Long (D-LA) suggested to Speaker Tip O'Neill (D-MA) in a letter summarizing his observations as chairman that committee and caucus meetings were often simultaneously scheduled (September 17, 1984 letter from Long to O'Neill, DSG Papers, Part II, box 140, folder 10).

The Policy Stakes of Legislation

The U.S. Congress is designed to develop and marshal policy expertise to address national policy problems. Committees serve as a reservoir of technical information about specific policy problems and programs, various legislative approaches, how legislative directives are applied and carried out at the state and local level (and by federal agencies), and the impact of various programs on specific constituency and interest groups.²⁶ The sheer volume of information and expertise that is generated – and necessary for legislative decisions and member coordination – often renders information sharing and dissemination impossible (Kingdon 1973). In the textbook Congress, most members struggled to gain access to quality information about the content of legislation and its implications for key constituency groups.²⁷ Liberals routinely voted blindly on legislation, which had significant and meaningful consequences for member participation. Busy members with multiple, competing demands on their time need to be informed of the real-life consequences of their vote for their constituents, and their own power, policy, and electoral goals. Members are usually aware of the real electoral stakes and policy implications of their individual participation in debates and votes on the most salient issues (e.g. segregation in the 1950s and 1960s, abortion rights and gay marriage today). But it is simply impossible for members to remain informed about every piece of legislation or policy issue that they vote on, let alone all of those on the congressional agenda (Curry 2015).

Legislative Information. For much of the 20th century, (Democratic) members were largely unaware of the content of legislation when they cast their votes, especially on legislation outside of their own committee assignment. They were rarely aware of the impact of a given bill

²⁶ Across a range of different, competing views of congressional organization (Cox and McCubbins 1993; Krehbiel 1991; Adler and Lapinski 1997), scholars agree that committees promote the cultivation of policy and legislative knowledge among a specific subset of members.

²⁷ This was especially true in the pre-internet, emerging technology era of the textbook Congress, it is also true today (Curry 2015; Ringe and Victor 2013).

on their constituents, or the position of interest groups on legislation. The most readily available information – committee reports – often suppressed division between members on a bill under their jurisdiction. Absent quality information, members may think it is more important to take a meeting with a lobbyist or group of constituents, or to spend time in their district, rather than participate in debate in the Committee of the Whole or in the caucus.

Democrats did not develop an independent research operation within leadership offices until the loss of the majority in 1994. The party likely did not see the need; majority status ensured that Democrats controlled most committee staff positions, and thus staff work-product. In contrast, the Republican Conference developed their own research services for members in the early 1960s. As the minority party, Republicans did not enjoy the same advantages as Democrats, especially over committee resources. And the party failed repeatedly throughout Democrats' unbroken 40-year rule to obtain minimum guaranteed staffing levels in committee. In the meantime, the party built up its own internal information resources to assist members. House Republican Policy Committee staff "assisted the minority in the preparation of useful information."²⁸ After a decade of unbroken Democratic rule, the Republican Conference professionalized these services and established what was known as the Committee on Research and Planning (later the Committee on Research) in 1965.²⁹ This Committee provided a single (leadership-controlled) resource to help Republican members understand the major legislative issues before the Congress, and cast knowledgeable votes.

²⁸ George B. Galloway, Senior Specialist, American Government Division, Legislative Research Service. "How Congressmen Inform Themselves," Circa 1963. DSG Papers, Part II, box 152, folder 2.

²⁹ Committee's activities fell in two areas. First, it organized a variety of activities, including "hearings, field trips, seminars, development of legislative alternatives, and publication of the results of studies and investigations." And second, the Committee provided information, including fact sheets, charts, graphs, questionnaires, and roll call analyses on about 100 topics each Congress (in addition to ad hoc assistance available by member request). 93rd Congress Directory, Republican Conference, 1973. DSG papers, Part II, box 158, folder 11.

Meanwhile, the Democratic leadership relied almost exclusively on committee resources to inform and prepare members for legislative debates and votes. The result was that junior liberal members in particular, “were overly dependent upon conservative senior committee and subcommittee leaders for their knowledge about legislation,” especially on policies outside of their own committee work (Stevens, Mulhollan, and Rundquist 1980, 10). Conservatives, of course, had a strong incentive to suppress access to committee information that might hinder their preferred policy outcome. Many chairs adopted a philosophy that “the less that’s known out there, the better.”³⁰ As political scientist Norm Ornstein described it, “committee chairs and leaders held their control over information very close” (Klein 2011).

The text of a bill or committee report, for example, was often not available until the day the House was to consider a given bill (Kravitz 1990).³¹ Reports summarize the committee’s actions on the bill, including hearings and mark-up activity. Only the Appropriations Committee was required to provide advance notice of committee reports; all other committees could submit them immediately before a vote.³² Absent advance notice, members had little, if any, time to prepare amendments to shape the bill on the House floor (Kravitz 1990). If members (or their staff) do not know what is actually in a bill, they can hardly expect to draft an amendment – and garner other members’ support – to change the underlying policy.

And even if the documents were made available by the committee, the slow-emerging professionalization of House technology systems in the 1960s and 1970s usually impeded access as well. Government resources simply struggled to keep pace with member demand and the ever-expanding congressional agenda. Members frequently faced printing delays when trying to

³⁰ September 23, 2015 interview with a former DSG staffer.

³¹ June 24, 1970 DSG Special Report on Secrecy in the House of Representatives. DSG Papers, Part II, box 128, folder 7. July 26, 1983 letter from DSG Chairman Matt McHugh (D-NY) to Appropriations Chairman Jamie Whitten (D-LA). Part II, box 102, folder 9.

³² The 1970 Legislative Reorganization Act required all committees to submit to a three-day layover period.

gain access to the text of a bill or committee report. In 1971, District Committee Chairman John McMillan (D-SC) lamented the “logjam” at the Government Printing Office, which caused “delays in printing which have, in some instances, resulted in reports not being delivered to the Committee or to the document room until the day of floor consideration.”³³ House facilities were sometimes subject to these delays as well. In 1977, a staffer for the whip’s office noted that the House “Document Room” was subject to overload by “‘rush’ requests from Members’ offices,” which made it difficult to obtain copies of bills ahead of time.³⁴ When this occurred, members were often forced to vote on legislation without the benefit of even the committee report. Members and their staff simply do not have the time to read and digest the often-complex information provided in the reports – and certainly not the legislation itself – during busy legislative days.³⁵

Even if a committee report was made available by the chair, and the printing office or document room provided copies, and members had time to read it, members likely still lacked enough information to meaningfully participate on the floor. Reports are supposed to reveal the range of dissent among committee members (Kingdon 1973) – codified in an addendum known as “minority views” or “alternative views.” But chairs sometimes used their position to suppress the views of (Democratic) committee members who disagreed with them.³⁶ Members also could not trust that a committee report would provide them with the full range of dissenting views

³³ February 1, 1971 Dear Colleague letter, DSG papers, Part II, box 142, folder 10.

³⁴ Testimony before a House Administration Task Force on Information of the House Commission on Administrative Review, Majority Whip staffer James Mooney. DSG papers, Part II, box 123, folder 3.

³⁵ These printing delays underscore the importance of House rules providing for a three-day layover period between the availability of reports and the consideration of legislation (which were gradually strengthened over the next several decades). The 1970 Legislative Reorganization Act provided for a three-day layover period for conference reports prior to a vote. However, legislation was sometimes exempted from these rules, and members frequently disputed what counted as a “day” (e.g. weekends and holidays) in the rule’s enforcement.

³⁶ For example, one DSG staffer (August 5, 2015 Interview) said, “Committee reports do a lot of things, but explaining a bill is not one of them...If there is controversy, the bill would explain it a little bit...[the] Committee would rather suppress the tension.”

among majority party members, or reveal issues that may emerge in their re-election campaigns. In addition, committee reports are often riddled with technical language, and are heavily legal in nature – neither of which is readily digestible by members.³⁷ This made it difficult for members to use the content of the report as the basis for a speech on the House floor, to design an amendment targeting specific provisions of the bill, or to cast a vote with the assurance that the bill would help (or conversely, hurt) their constituents as expected.

Most committees worked with the leadership to distribute basic legislative information via the whip’s office – known as “the leadership’s information outlet.”³⁸ Each week, members received what was called the “whip pack,” which was an envelope including the texts of upcoming bills and resolutions, and associated committee reports. They also received “whip advisories,” or one page descriptions of each bill or resolution that provided a “thumbnail picture of the major provisions of a bill.” In theory, this information appears to be seemingly comprehensive – providing all the information necessary for members to cast a knowledgeable vote. In practice, however, it was essentially useless in subsidizing the cost for members to participate in floor debate or cast a vote. Whip-provided information neither subsidized the cost of participating in debate, nor did it serve as an easy heuristic for member voting decisions (Kingdon 1973).

In testimony before a 1977 House Commission on Administrative Review, a whip staffer suggested that the whip’s office explicitly abdicated responsibility for providing this sort of political intelligence for members. Whip resources did not “argue the merits or demerits of a

³⁷ Interview with former DSG staffer, September 21, 2015; Interview with former DSG staffer, August 5, 2015; Stevens, Arthur G., Daniel P. Mulhollan, and Paul S. Rundquist. 1980. “Congressional Structure and Representation: The Role of Informal Groups.” Paper prepared for delivery at the 1980 Annual Meeting of the American Political Science Association.

³⁸ Testimony before a House Administration Task Force on Information of the House Commission on Administrative Review, Majority Whip staffer James Mooney. DSG papers, Part II, box 123, folder 3.

particular bill” and avoided “the use of language which might be construed as taking an advocacy position.” Advisories “provide only a very brief summary of a bill’s major provisions, rarely list any amendments and never point out the points of controversy of the position of relevant interest groups on the bill.”³⁹ At best, the leadership helped members gain access to the text of a bill, as well as the associated committee and/or conference report, prior to a scheduled vote. Members remained reliant on their own staffs to identify the strengths and weaknesses of a bill, and the broader, real-world context of a given policy.⁴⁰

The Library of Congress is, of course, another resource available to members to learn about legislation on the congressional agenda. In the textbook era, members had access to what was called the Legislative Reference Service (LRS), a division of the LOC.⁴¹ LRS provided in-depth policy analysis for members, services roughly analogous to those provided by the Congressional Research Service (CRS) today. But members had to anticipate ahead of time what their informational needs might be, and the staff size and budget limited the number of requests it could handle at any one time. And of course, if a bill or committee report was not available to members, it was unlikely to be made available to researchers at the LRS either. When Congress created CRS in 1970 in a bid to address some of these issues, it prioritized providing timely information to *committees*, not individual members – a striking oversight at a time of continued

³⁹ April 1978 DSG staff memo from “Dan” to executive director Dick Conlon re Error in Legislative Report. Memo was in response to April 11, 1978 Dear Colleague letter from Adam Benjamin, Jr. (D-IN). DSG Papers, Part II, box 133, folder 4.

⁴⁰ Of course, members could theoretically rely on interest groups to help provide this broader real-world context (Hall and Deardorff 2004). However, interest groups often confront the same resource limitations that members face, and are likely to focus on the most salient issues before the Congress (i.e. only those issues in which members are already well-informed).

⁴¹ The Legislative Reference Service was expanded and renamed the Congressional Research Service (CRS) as part of the 1970 Legislative Reorganization Act.

conservative dominance over committees.⁴² And the basic informational exchange relationship in which individual members (and their staff) are responsible for requesting information remained.

The Congressional Schedule

The final participation hurdle confronting members was the unreliability of the legislative schedule, which made it difficult for liberals to ensure they were in town when critical issues were under consideration. Liberals were notorious members of the so-called “Tuesday-to-Thursday Club” – a distinction often attributed to their preference and/or need to spend more time in their home districts than conservatives.⁴³ But junior liberals often simply had weaker information than conservatives about when committee meetings would be held, and when legislation would be considered on the floor. The lack of advance notice about upcoming committee meetings and floor votes is a byproduct of both the seniority system and an overrepresentation of conservative interests in the party whip system. And of course, these dynamics were often reinforced by party leaders who used available resources, including their scheduling power, to suppress liberal turnout when a controversial policy emerged on the agenda.

Committees. Committees are effectively mini legislatures; each with individual rules and procedures adopted at the start of the Congress by committee members.⁴⁴ Conservative chairmen employed committee rules instead as a tool to limit the participation of junior liberals; indeed,

⁴² The law charged CRS with providing objective, non-partisan, in-depth policy analysis to all legislative committees. It also addressed the “anticipation problem” by directing CRS to provide each committee with a list of policy areas “it might profitably pursue” at the beginning of each Congress (Kravitz 1990, 383).

⁴³ Liberals tended to be elected from marginal districts where members had a strong incentive to return home frequently. Southerners were elected from safe seats where there was arguably less of a need to frequently travel back to the district.

⁴⁴ Some committees, of course, did not even have printed rules, including the powerful Appropriations Committee. Absent printed rules, junior members could not levy a formal complaint against the chairman for violating autocratic leadership.

committee gatekeeping power *is* the power to control the committee rules and schedule. Chairs could not control which legislation was referred to their committee; those decisions were made by the Parliamentarian and the Speaker (Bolling 1966). But they could exercise their power over committee rules to control the path of bills under their jurisdiction and to shape the participation of members in their committee. Prior to the introduction of party votes on committee chairs in 1971, chairs were simply not accountable for how they managed committee rules or legislative work-product.

If parliamentary rules are designed to protect individual members' right to participate, then committee rules and norms were designed to protect the prerogative of chairmen. Chairmen had the power to decide the number and basis upon which to establish subcommittees each Congress, which could be used to reward and punish mid-level seniority members. If a fifth or sixth ranking member who might ordinarily be in line for a subcommittee chairmanship was considered too liberal, the chair could simply appoint fewer committees to ensure they would miss out on a chairmanship (CQ Almanac 1975, 26-40). For example, John McMillan (D-SC) was notorious for appointing District Committee subcommittees by number, not by policy area or topic.⁴⁵ This allowed him to refer bills to in an arbitrary manner. High-ranking liberal committee member Charlie Diggs (D-MI), for example, was "allowed the empty honor of a subcommittee of his own." McMillan "regularly sent any matter of real significance to other subcommittees, headed by southern cronies like the dubious Rep. John Dowdy of Texas" (Alsop 1971).

During committee hearings, junior members were often instructed by chairs that they were not allowed to participate in the proceedings. Future Speaker Thomas Foley (D-WA), for example, often regaled freshmen at new member orientations with a story about his experiences

⁴⁵ Notably, Judiciary Committee chairman Emanuel Celler (D-NY) also numbered his subcommittees to prevent conservative control over bills in his jurisdiction.

as a freshman on the Agriculture Committee. Chairman W.R. Poage (D-TX) “wouldn’t even let you talk. He wouldn’t even want to allow the [committee] members to say anything as a freshman. He would say, ‘maybe if you are re-elected, then maybe you can say something...For all I know, you got elected by accident. Maybe if you come back again, you can say something.’”⁴⁶ Many committees also did not give individual members “the prerogative to ask for a vote on certain measures.”⁴⁷

And of course, junior members also rarely knew the committee schedule ahead of time. Chairs themselves had significant prerogative to decide the timing and number of hearings or meetings that their committee held on any given bill or issue. Chair organizing power was sometimes used to schedule meetings when the chair knew many members were back home in their districts, which suppressed the liberal vote bloc on committee votes. When this occurred, liberals often voted via proxy, which was allowed in most committee rules. While proxies are not as useful for shaping the content of a bill in committee, members can entrust their vote to another member if (and when) they missed a committee vote to report a bill. In the 1960s, this included “blanket” proxies whereby a member could sign a single statement at the beginning of a Congress entrusting their vote to another committee member. The committees that did not were among the smallest and largest – and the most powerful –, including the Rules and Appropriations

⁴⁶ September 23, 2015 Interview with former DSG staffer. Other junior members during this era recounted similar stories, including Rep. Dave Obey’s (D-WI) recollections of being told to “sit down and shut up” by his own committee chair [September 16, 2015, Congressional Reform Symposium, Capital Visitor’s Center, Washington, D.C.].

⁴⁷ Rep. Stanley Tupper (R-ME) described the power of chairmen to control the committee schedule in a 1962 *Washington Post* editorial: “There is marked variation in committee rules, which give to some chairmen nearly dictatorial powers over committee business and procedure. Many committees do not have printed rules. Committee members do not have the prerogative to ask for a vote on certain measures. Meetings can be scheduled at the whim of the chairman. The chairman’s power to ignore a bill is often unchallenged.”

Committees. While proxies did not contribute to necessary quorums for committee business, strong Republican attendance in committees generally made up for any necessary gaps.⁴⁸

At other times, chairs' organizing power was used to severely limit the number of meetings held altogether. Committees with printed rules usually provided for a coalition of (Democratic and Republican) members to call a meeting in the chair's absence, but this rarely happened in practice.⁴⁹ Conservatives were not the only chairs who exercised this power, but they were the most egregious offenders. Rules Committee Chairman Howard "Judge" Smith (D-VA), for example, was perhaps most notorious for abusing his position during the late 1950s and 1960s period to sideline legislation with which he disagreed. Smith often simply refused to call committee meetings – abandoning the Capitol for his Virginia farm. He would also hold an excessive number of hearings on a given bill to delay its consideration, as well as to stir controversy and opposition among members. The Rules Committee finally established regular hearings in 1967 when incoming chairman William Colmer (D-MS) struck a deal with Speaker John McCormack (D-MA) to avoid a challenge to his seniority (see chapter six for a detailed analysis of this shift).

Congressional folklore has memorialized Smith's use of these tactics better than others, but they were used by many chairs, including those whose ideological preferences aligned better with the broader Democratic Caucus. Indeed, one of the primary complaints levied against Education & Labor Committee Chairman Adam Clayton Powell in 1965-1966 – amidst a bi-partisan effort to unseat him for financial "misdeeds" – was that he only called meetings of the

⁴⁸ May 9, 1974 Minutes of the Special Democratic Caucus on the Bolling motion, DSG Papers, Part II, box 137, folder 7. Ways and Means Chairman Wilbur Mills spoke out against "doing away with proxies," arguing that if Democrats eliminated all use of committee proxies, "we [Democrats] turn over the operation of the committee[s] to them."

⁴⁹ This is in part because legislation supported by a bi-partisan committee majority was usually conservative in nature, and thus more likely to be supported by the committee chair himself.

committee when he was in town. In the 2nd session of the 89th Congress, this constituted a sum total of *one* meeting.⁵⁰

Individual members and party leaders had some tools at their disposal to speed up the legislative process and overcome committee sluggishness; however, the few available did not allow for advance notice and planning. A handful of rules and procedures empowered the leadership or individual (committee) members to bypass the committee of jurisdiction and bring legislation directly to the floor, but they were often difficult to use and/or not always in-effect. For example, the Calendar Wednesday procedure provided a means through which committee bills stymied in the Rules Committee (or in the original committee of jurisdiction) could be called up on the House floor for consideration. But it was difficult to use on most legislation because the committees were called in alphabetical order. Thus, a bill stuck in (or under the jurisdiction of) the District or Judiciary Committees would first have to wait through the call of the Agriculture, Armed Services, and Banking committees, among others. Chairs of one committee opposed to a bill in another committee used the procedure “as a limited version of the filibuster in the Senate” (Bolling 1966, 201). Oftentimes, the clock simply ran out.⁵¹

The House Floor. Party leaders, of course, plan the legislative schedule on the floor – the specific day a bill will be brought up for consideration. But in an era of committee rule, the floor schedule depended on the schedule within the original committee of jurisdiction (as well as the Rules Committee). Timely progress in committees promoted progress on the floor; stagnation in committees promoted stagnation on the floor. The result, as a 1965 history directed by the

⁵⁰ DSG Papers, Part II, box 158, folder 3.

⁵¹ In theory, a committee chairman opposed to a bill in another committee could also strategically exercise his/her right to bring up a bill in their committee on the calendar, thereby delaying consideration of other committees’ legislation until a later Calendar Wednesday (if at all). Today, the Calendar Wednesday procedure is rarely used (often dispensed of via unanimous consent).

Committee on House Administration concluded, is that “precise, long-range planning as to the exact day or week when a bill is to be voted upon in the House is hardly possible.”⁵²

Arguably the most valuable tool available to the leadership to plan the legislative schedule was the party whip system (Ripley 1964). In addition to the informational role described above, appointed zone and geographic whips were also responsible for conducting a survey of members’ schedules and counting the number of supporters and opponents who would be present for the vote. Whips would then share this information with the leadership, and the leadership could make an informed determination as to whether a given bill would succeed or fail. However, the whip system as constituted in the textbook Congress suppressed liberal participation in three ways.

First, party leaders were sometimes fearful that a simple poll on a controversial measure might arouse conservative opposition. In 1964 and 1965, for example, whip Hale Boggs (D-LA), did not manage the whip operation on two of the most important bills to come before the Congress – the Civil Rights and Voting Rights Acts because he was afraid that he would provoke conservatives to organize against the bill.⁵³ However, these weaknesses were not limited to civil rights.⁵⁴ Many bills came to the floor without a nose count “to see where the Administration stood.”⁵⁵

⁵² History of the House of Representatives, 89th Congress, 1st session, House Document No. 250. Printed under the supervision of the Committee on House Administration, Omar Burleson, Chairman. DSG papers, Part II, box 129, folder 9.

⁵³ *The Civil Rights Act*. Congressional Quarterly. 1965. Part I, Box 70, folder 4. Rep. Richard Bolling described this aspect of the Democratic whip system as “an anomaly”: “...certain regional whips are responsible for getting out the vote for bills, such as civil rights and welfare measures, that they themselves are opposed to” (1966, 55).

⁵⁴ Boggs acted as whip and floor manager for the 1969 extension of the surcharge on personal and corporate income taxes, but succeeded in “rounding up only 56 Democrats (against 179 opposed)...He did not even attempt to use his whip system to collect Democratic support” (Evans and Novak 1969).

⁵⁵ “Democratic Current in the House: Worried Members are Dissatisfied with Leaders,” *New York Times*, 1967. John Herbers. DSG papers, Part II, box 153, folder 3.

Second, southern geographic whips would sometimes simply refuse to carry out a poll for the leadership, or they might deliberately over- or under-inflate the support for a bill in their counts (Ripley 1964). A southern whip for example, might misrepresent the position of liberal or conservative members in their zone. Consequently, party leaders might schedule bills for consideration that would ultimately prove more controversial than expected, or alternatively, they might refuse to schedule a controversial bill that would likely have passed on the floor. Kennedy Administration congressional liaison Charles U. Daly was critical of the leadership counts, noting that “under the liaison operation we had – on either the Senate or House side – I wouldn’t depend solely on [Senator] Bobby Baker or Jesus Christ to do any counting.”⁵⁶

And finally, House whip zones overrepresented rural, conservative areas of the country, while underrepresenting urban, liberal areas. According to Rep. Richard Bolling (D-MO), in 1965, “the whip zones in the South average out at about 8.5 million inhabitants, while zones in the West average about 12.6 million” (1966, 223-224). In practice, this meant that conservative whips were responsible for coordinating fewer members than liberal whips. It was simply much harder for liberal whips to mobilize support for a bill; not only were they responsible for more members, but their whip assignments comprised an inherently more diverse constituency than did southern whips.

Collectively, these dynamics ensured that the leadership rarely conducted polls of member opinion, and frequently told members only that a bill would be considered “in the near future.”⁵⁷ Of course, the leadership also strategically used their scheduling authority to suppress participation to doom legislation they disagreed with, or was damaging for the party brand. Votes

⁵⁶ Baker, a senator from South Carolina, served as Secretary to the Majority Leader. Charles U. Daly, recorded interview by Charles T. Morrissey, April 5, 1966 (29), John F. Kennedy Library Oral History Program.

⁵⁷ April 1978 DSG Staff Memo from Dan to Conlon. Part II, box 133, folder 4.

were sometimes scheduled when they knew many liberals would be out of town, ensuring that legislation would fail (Kingdon 1973). And during critical votes on amendments in the Committee of the Whole, there is no evidence that the leadership activated the whip system whatsoever. This was particularly important given that floor managers had considerable prerogative to cut off debate and call a vote. As subcommittee and committee chairs disproportionately managed floor debate, they frequently used this power to suppress the participation of liberals.⁵⁸ One longtime congressional staffer who spend time on the floor in the 1960s recalled how “the people who were controlling the time would just not recognize” liberals to offer an amendment “until they knew that there were enough people of their own stripe around to vote it down.”⁵⁹ Sometimes, party leaders used their scheduling power to limit conservative participation as well. During the 1970 debate on recorded teller voting, Rep. Joe Waggonner (D-LA) said that “Everybody knows that there have been times when the leadership urged people to take a walk during a critical teller vote to prevent an amendment from being adopted.”⁶⁰ Nevertheless, leadership pressure was more likely to negatively impact liberals who did not hold committee leadership positions.

The archival record reveals some disagreement about whether it is the responsibility of individual members or the leadership (through the party whip system) to promote floor vote attendance and participation. Early meetings of the House Democratic Caucus became the venue through which the party debated some of these issues, especially prior to the adoption of recorded

⁵⁸ Liberals noted these dynamics in the text of whips calls during this era. For example, on August 11, 1969, a call was issued to liberals requesting they stay on the floor, noting that “conservatives are delaying the votes on the Adams substitute hoping that liberals will leave the floor” [DSG Papers, Part II, box 102, folder 4].

⁵⁹ September 24, 2015 telephone interview.

⁶⁰ June 18, 1970 “Some in House Seek to End Old Practice of Nonrecord Voting,” *Wall Street Journal*. DSG Papers, Part II, box 125, folder 2.

teller votes on amendments in 1971. Rep. Lenore Kretzer Sullivan (D-MO) argued that members themselves should be responsible for ensuring that their colleagues show up to vote:

“We have a whip system – but we shouldn’t have to depend upon it, because by the time the call goes out and the members straggle over here, the teller vote has already been taken. I think each of us should carry an assigned list of five members we keep tabs on – and know where they are when a bill is open for amendment under the five minute rule, and why they’re not on the Floor. If we did that, it would be pretty clear why some things don’t get done.”⁶¹

Speaker John McCormack (D-MA) called for the Caucus to examine the problem of absenteeism on the House floor, and suggested it carried over to the problem of committee quorums as well. Sullivan and McCormack’s comments suggest a leadership vacuum on member participation and mobilization. Arguably, what Sullivan is describing constitutes a whip system – a system in which a set of active and/or knowledgeable members mobilize and coordinate the participation of members who will support the bill (or oppose it as necessary). The leadership has an interest in making sure their fellow partisans show up and participate – indeed, that is the only way they can assure victory on their own agenda items. The fact that party leaders – and even some members – placed the responsibility squarely on members’ shoulders suggests they did not think the leadership had a significant role in promoting, or suppressing, members’ participation (in contrast to some theories (Cox and McCubbins 1993, 2005)).

Roll Call Vote Participation & the 1963 Foreign Aid Appropriations. The archival record, interview sources, and newspaper coverage suggest that party and committee leaders suppressed members’ participation throughout the textbook Congress. Here I examine systematic differences in member participation, as well as an illustrative example that exemplifies the complex information-participation dynamics.

⁶¹ *Journal of the House Democratic Caucus*, March 18, 1970, House Democratic Caucus Papers, box 2, folder 21.

I begin by analyzing floor vote participation, or the percentage of roll call votes in which a member voted “yea” or “nay,” and therefore was present on the floor.⁶² Unfortunately, it is not possible to identify observable measures of liberal vote participation at the stage where you would most likely to see a potential relationship – on amendment votes in the Committee of the Whole, which were unrecorded until 1971. Given the strong control exerted by conservatives at this stage, I would expect liberals to participate far less than other Democrats. Nevertheless, on roll call votes, I expect liberal members to participate in fewer floor votes than other Democrats, while committee and subcommittee chairs should participate less than other Democrats.⁶³

⁶² Roll call votes provide a proxy measure of member participation as other measures of floor participation are unavailable during this era.

⁶³ If liberals are more dependent on party leaders to understand their right to participate, the legislative schedule, and the policy implications of their participation, then I would expect liberals to participate less than other Democrats. And as committee and subcommittee chairs are not accountable for their institutional position to either party leaders or rank and file members, I expect they will participate less than other members.

Table 4.1: OLS Regression Analysis of Democratic Caucus Attendance on Roll Call Votes in the House of Representatives, 1961-1976

| | |
|--|---------------------|
| DSG Member | -4.695*** (.57) |
| DSG Leader | -1.55* (.70) |
| Party Unity | .264*** (.02) |
| Seniority | -.15*** (.04) |
| Committee Chair | -2.34* (1.04) |
| Subcommittee Chair | .43 (.52) |
| <i>District Demographic Characteristics</i> | |
| District Distance | -1.58** (.49) |
| Urban Population | -.06*** (.01) |
| Black Population | -.001 (.02) |
| <i>Member Demographic Characteristics</i> | |
| Female | -2.80* (1.29) |
| African-American | -10.57*** (1.44) |
| Constant | 77.36 (1.29) |
| Numbers in parentheses are robust standard errors. | |
| N = 1917 | |
| R ² = .25 | |
| F=41.92, p<.0001 | |
| *p<.05, **p<.01, *** p<.001 | |

It is likely that other informal whip systems were active during this period, but prior scholarly research (Ripley 1964; Polsby 2004) and the archival record reveal only two formalized whip systems were active during the 1960s and 1970s – the Democratic leadership and the Democratic Study Group’s whip systems. Thus, I operationalize “liberal” as “DSG Member,” or those members who paid regular dues to DSG and were targeted by DSG’s whip system. This provides a stronger test of the hypotheses as these members were ‘whipped’ on the very votes

analyzed here, while conservatives were not. All Democrats were the target of the Democratic leadership's whip system. Committee and subcommittee chair are operationalized as whether the member holds a chairmanship in that Congress. Controls variables were included for district distance, seniority, race, gender, and party unity (See Appendix 2 for additional information on each explanatory variable). The floor vote analyses begin in the 86th Congress, which reflects the advent of liberal organization. The suppression of liberal mobilization did not begin in the 86th, but it marks a turning point in liberal frustration over their inability to participate. As the dependent variable of interest here is continuous (percent of all votes the member participated in on the House floor or in committee), I employ ordinary least squares regression.⁶⁴ Table 4.1 presents ordinary least squares regression results on Democrat members' attendance on roll call votes from the 86th – 95th Congress. The results provide evidence that there were notable differences in floor vote participation between Democrats.

As expected, both DSG members and leaders participated in fewer roll call votes than other Democrats. On average, DSG members participated in on average 4.7 percent fewer, and leaders 1.6 percent fewer, roll call votes than non-DSG Democrats.⁶⁵ This is a significant difference, and one with likely policy implications as well. Members participate in a large number of roll call votes each Congress, and many winning and losing votes on legislation were close during this period. As the leadership is responsible for alerting members, especially their

⁶⁴ Data on the dependent variables were collected via Congressional Quarterly (floor votes) and the DSG archival papers (committee votes).

⁶⁵ I also ran the analyses by Congress to uncover potential differences by year; however, the results did not change. Given that the archival record document liberal complaints on issues like "Rules Committee obstruction" and "high Democratic opposition to bills which come to the Floor [for] which no one has provided an early warning" in 1977, the consistencies observed are unsurprising [Discussion of Rules Committee, October 27, 1977 executive committee meeting minutes, DSG Papers, Part II, box 7, folder 3; Foley comments on the Democratic whip system, May 25, 1977 executive committee meeting minutes, Part II, box 7, folder 1]. Indeed, it suggests that scholarly conceptions of the textbook era as ending in the early 1970s amidst the passage of reforms (Rohde, Stiglitz, and Weingast 2013) does not necessarily comport with the realities of the legislative environment.

fellow partisans, to the legislative schedule, members' floor vote participation records are a reflection of the leadership's effective communication and distribution of information.⁶⁶

While DSG members and leaders confronted many of the same informational asymmetries, an additional mechanism may be driving the leader results. Many executive committee members served important leadership roles outside of Congress. For example, 1965-1966 DSG Chairman Frank Thompson (D-NJ) served as the national head of voter registration for John F. Kennedy's 1960 presidential campaign (and notably advocated for registering more urban and African-American voters). 1969-1970 DSG Chairman Donald M. Fraser (D-MC) co-chaired the Democratic National Committee's committee on delegate selection reforms in the early 1970s. Others were active in social movement activities outside of Congress, such as Reps. Charlie Diggs (D-MI), Jonathan Bingham (D-NY), and Don Edwards (D-CA) who traveled to Selma, Alabama to observe civil rights demonstrations and reported their observations to the White House (advocating for stronger civil rights protections).⁶⁷

And as expected, committee chairs participated in, on average, 2.34 percent fewer roll call votes than other Democrats. The model suggests that there is no relationship between subcommittee leadership and floor vote participation. While subcommittee chairs were similarly not accountable for their position, they were the most likely of all members to serve as floor managers for legislation, which likely stemmed any incentive they may have had to risk not showing up for floor votes.

⁶⁶ Of course, attendance records are also a reflection of members' personal circumstances, including extended illness and family emergencies, as well as members who "come late" or "leave early" as a result of special election, retirement or other circumstances. In order to control for these effects, members who reported personal circumstances or were not eligible for all votes in a given congress are excluded from this analysis.

⁶⁷ March 17, 1965 memo to members of the DSG Steering Committee, DSG Papers, Part II, box 38, folder 3.

The seemingly odd set of findings in the model above are perhaps best understood through a December 1963 House vote on foreign aid funding.⁶⁸ The high-profile vote illustrates many of the information-participation dynamics found in the archival and interview data, and regression analysis above, including the suppression of dissenting committee views, inability to access legislative information prior to a vote, lack of advance schedule notice, and the inability of the Democratic whip to round up votes.

The House foreign aid bill is a relatively straightforward annual appropriations bill, and thus is representative of the difficulties liberals confronted in securing meaningful, substantive debate on a wide variety of policy areas. It took on a unique significance in 1963 because it was one of the first bills to be passed under new President Lyndon B. Johnson's Administration. Johnson viewed it as a chance to assert his power over not only the agenda and Democrats in Congress, but Republicans too. It was, as the *Washington Post* described it, a "test of the President's prestige."⁶⁹ And ultimately, it seems unlikely that the bill would have passed without his strong involvement.

The bill was drafted by House Appropriations Foreign Operations Subcommittee chairman Rep. Otto E. Passman (D-LA) who was a staunch opponent of foreign aid and decreased the bill's funding level by \$800 million (the equivalent of \$6.374 billion today). The Democratic leadership did nothing to support attempts to increase the funding level by liberals

⁶⁸ In addition, women and African-American members participated in, on average, 2.8 and 10.6 percent fewer roll call votes, respectively. These results should be interpreted with extreme caution given the very small number of women and African-Americans in office during this time period. However, the negative, significant relationship likely reflects the fact that both were a distinct minority within the Democratic Caucus and had weaker communication channels and legislative allies. There is also, not surprisingly, a slight negative relationship between participation levels and the distance between a member's district and Washington, D.C. Members with home districts far away from the capitol are less likely to be able to quickly travel back to the House in time for a key vote, especially in the 1960s and 1970s.

⁶⁹ December 25, 1963, *Washington Post*, Rowland Evans and Robert Novak, "Inside Report...Where were the Liberals?" DSG Papers, Part II, box 129, folder 7.

and President Johnson before it was reported on December 14th. However, Passman and Appropriations Chairman George Mahon (D-TX) ensured that the full committee report suppressed division among members about the bill (*CQ Almanac* 1963, 288). The report did not include any dissenting views despite the fact that liberal Rep. Charles S. Joelson (D-NJ) – a second term member ranking at the bottom of the committee in seniority – submitted two paragraphs of “separate views” at the time of the bill’s approval.⁷⁰ Joelson’s fellow liberals could not rely on the report to inform them about potential limitations in the committee-drafted bill; they had no pre-warning that their individual vote was important, nor could they craft amendments to increase funding.⁷¹ Nevertheless, the House adopted the bill 250-135 on December 16th.

Disagreements between the funding levels provided in the House and Senate bills stymied conference negotiators, which made it difficult for members to anticipate the final roll call vote and plan to be in town for the vote.⁷² The leadership could offer no assurances about when it would come to the floor. The slow negotiations ensured that the Conference Report was not drafted until 10:15pm on December 20th, and the Rules Committee granted a rule for the report at 1:45am on December 21st. Only 263 members of the House were present, but it was enough to constitute a quorum. Of course, neither members nor their staff had time to read the Conference Report; at 5a.m., the House adopted a Republican motion to recommit instructing House conferees to disagree to a Senate amendment on Export-Import guarantees.

⁷⁰ Joelson “charged the Committee with ‘heavy-handed censorship.’” *CQ Almanac* 1963, 288-97.

⁷¹ Rep. Donald Fraser (D-MN), a Foreign Affairs committee member, offered an amendment on the House floor to restore \$30 million in funding for international organizations. It was rejected however, 89 to 149.

⁷² The House and Senate also disagreed over a provision barring the Export-Import Bank guarantees of private credits to Communist countries for purchase of U.S. commodities (in particular, wheat sales to the U.S.S.R.), which provoked opposition from Republicans in the House as well. Republicans and some conservatives charged that the bill amounted to a congressional-sanctioned “financing” of the Russians.

The failure of the Conference Report set off a sprint among the leadership to bring enough Democrats back into town to support the bill. Perhaps not surprising in an era of minimal leadership accountability, many high-profile committee chairmen, including Judiciary Chair Emanuel Celler (D-NY) and House Un-American Activities Chair Ed Willis (D-LA), were absent for the vote. Several prominent Rules Committee members with leadership ambitions, including B.F. Sisk (D-CA) and Richard Bolling (D-MO), also refused to return. All received phone calls from Democratic Whip Hale Boggs (D-CA), but none wanted to return for the vote.⁷³ Sisk was eventually persuaded by a personal phone call from Johnson, while Bolling refused to return from his holiday in the Virgin Islands.⁷⁴ Absent any accountability to the Democratic Caucus or the leadership for their position, none of these high-ranking members had any incentive to show up for the vote; their record would not be held against them. Johnson had to direct the Democratic National Committee to charter – at the party’s expense – a plane to bring members back for the vote; Sisk was the only high-ranking member to return.⁷⁵

This highly publicized (and embarrassing) foreign aid vote exemplifies the informational asymmetries typical of the textbook Congress. Liberal members were not guaranteed access to quality information about the content of the bill and debates between committee members; their participation was defined exclusively in terms of Johnson’s own prestige in Washington – not policy outcomes; and while party leaders were subject to Johnson’s own self-selected December deadline, they failed to anticipate the need for members’ participation on the vote on the first conference report, and inform members in advance. On December 24th, Democrats eventually rounded up enough votes for the final roll call on the amended conference report to adopt it 189-

⁷³ Pearson, Drew. December 24, 1963. “Absentee Record on the Hill.” *Washington Post*. Part II, box 129, folder 7.

⁷⁴ In its coverage of the events, the *Washington Post* noted that Bolling “who once aspired to be Speaker...was in the Virgin Islands with his new fiancée. He is a vital member of the Rules Committee but is getting a divorce and did not come back.”

⁷⁵ Five members were picked up in California alone.

158, but it was President Johnson's involvement – not the leadership or Boggs – that disseminated information, promoted member participation, and ultimately, ensured the bill's passage.

A Way Forward for Liberals: The Democratic Study Group

It is often assumed that member behavior is motivated by a relatively abstract incentive structure. Abstract incentives simultaneously motivate the suppression of policy differences between party members (Cox and McCubbins 2005), as well as the adoption of institutional changes in Congress (Rohde 1991). For liberal Democrats, the decision to establish and organize DSG was driven by their personal, first-hand experience with significant informational asymmetries between themselves, party leaders, and their more senior, conservative colleagues. These differences were replicated everywhere from the party campaign committee, to mobilization by the whip system, to access to congressional precedents. Neither the Democratic Caucus nor their party leaders subsidized the cost for members to pursue their policy, electoral, or power goals within the House of Representatives. Few, quality participation opportunities existed for liberal Democrats.

Indeed, if the joint agreement to protect the “party brand” emanates from the utility individual members receive from the party itself (Aldrich 1995), liberal Democrats had little to lose by bringing internal Democratic divisions to light. Majority party status did not provide them with additional benefits and many liberals felt they were held to a higher standard by their constituents precisely because they were in the majority. Junior liberals had no power to pursue their policy goals or further their constituents' interests, and little recourse to challenge the committee leaders who opposed them. And the leadership failed to mobilize and inform their ranks, to support the movement of liberals to positions of power in the House (including on key

committees), and to fulfill the promise that legislation important to their constituents would be considered.

For liberal Democrats, the Democratic Study Group would play this role. The group did not immediately alleviate the stark informational and power differences in the House; these differences continued throughout much of the middle to late twentieth century. And successive generations of liberals – (re)elected every two years – had to make the decision to invest their time and financial support to develop an organization to advocate on behalf of their interest. But ultimately, DSG was more responsive to, and representative of, liberal interests than the Democratic Caucus or party leaders. After the establishment of DSG in 1959, group leaders spent the next several decades developing an organization with the capacity to expand leadership pipelines (chapter 5), promote procedural reform (chapter 6), and the consideration of liberal policy goals (chapter 7). In each of the following chapters, informational asymmetries constitute a significant institutional hurdle; at every turn, liberals carefully developed and employed DSG to overcome them.

I now turn to an analysis of each of three facets of institutional change.

5 | Leadership Change in the House of Representatives

One of the prevailing truths about Congress is that members run for Congress by running against Congress – a phenomenon known by many as Fenno’s paradox. This has proven to be a successful campaign strategy for countless candidates and incumbents alike. But after a campaign built on a platform of bringing “change” to Congress, candidates inevitably learn the same lesson that all new members learn after being sworn in – if you want to accomplish anything in the House, positions of power matter. Policy agendas are decided by those with *formal* power, and reinforced by congressional rules and procedures that empower leaders to punish those partisans who don’t fall in line. Absent exclusive committee assignments, committee chairmanships, or party leadership positions, rank and file members – even in the majority party – can expect a steep uphill battle to receiving votes on legislation they sponsored, garnering press attention, or obtaining a meeting with the Speaker. Popular rhetoric aside, platforms of “change” will go nowhere if party leaders do not support them. If members want to change how Congress works and the legislation produced, allies in the leadership are pivotal.

In the late 1950s, liberal Democrats learned a similar lesson. Party leaders were reticent to recruit junior liberals for leadership positions, and seniority limited their access to committee leadership positions. This chapter analyzes how junior liberals developed DSG as a separate site of leadership power and training in the House *before* the adoption of the 1970s reforms. I argue that liberals strategically structured DSG to provide their likeminded partisans with the (1) policy expertise, (2) visibility and connections, (3) coalition building support, and (4) institutional prestige denied to them by their seniority status in the formal structures of the House. These critical leadership development and training opportunities enabled their ambitious allies and

representatives to not only bypass the hurdles posed by the formal structures of the House, but to be competitive for elected and appointed leadership positions in the post-reform era.

This chapter is structured in two parts. First, I analyze the process through which DSG promoted new liberal leaders (Part I). And second, I evaluate the success of past and present DSG leaders at ascending the party and committee leadership hierarchy in the House (Part II). This chapter incorporates archival evidence, interview data, regression analyses, and several legislative and leadership race case studies, to identify, analyze, and evaluate the complex dynamics between DSG leadership training, and leadership emergence in the reform era and beyond. I begin by introducing a theory of leadership change that expands upon the congressional literature's typical emphasis on formal rules changes and ideological realignment. Then I examine the composition and function of DSG's leadership. The rest of the chapter is devoted to analyzing the process through which DSG promoted the leadership ambitions of junior liberals, and evaluating their success at achieving party and committee leadership positions. Collectively, my findings suggest that congressional scholars should reassess the dominant conclusion that junior liberals' successful transition into formal leadership positions is solely due to formal rules changes and the "homogenizing" of the House Democratic Caucus. This finding has important implications for processes of leadership change in the contemporary U.S. House of Representatives.

Moving Beyond Ideology & Rules Reform:

An Alternative Theory of Leadership Change in the Reform Era

The congressional literature often conceives of leadership advancement through individual-level characteristics – self-starting personalities and recruitment by existing party leaders (Loomis 1984; Peabody 1967; Canon 1989). The challenges confronting the leadership ambitions of party factions – and the strategies adopted by these groups to overcome them – are often overlooked. And yet, access to leadership pipelines often constitutes the strongest

institutional barrier to representation of party factional interests in the U.S. House of Representatives. Formal leadership positions determine both symbolic representation (e.g. what policy issues receive a public hearing) and substantive representation (e.g. which legislation receives a vote on the House floor) (Cox and McCubbins 1993, 2005; Hall 1998). Seniority rules and norms, and the incentive within both parties to suppress the policy issues often prioritized by factions (Cox and McCubbins 2005), poses a significant barrier for new groups. New factions usually comprise the most junior – and least powerful – members of the House, which severely limits their access to critical leadership positions (and thus their capacity to pursue their policy goals). If the dominant patterns of leadership advancement are foreclosed, how do factions overcome the power asymmetries limiting their capacity to pursue their policy, prestige, and electoral goals (Fenno 1974)?

The argument offered in this chapter is simple. If leadership advancement depends on either recruitment by current party leaders or the self-starting initiative of ambitious rank and file members, I argue that organized party factions can bridge the gap. Well-organized factions provide an alternative leadership pipeline – simultaneously helping self-starters while grooming members unlikely to be recruited by party leaders. Members denied leadership training in the formal structures of the House can instead receive this experience through factional organization, including (1) policy experience outside of their own committee assignment; (2) visibility and connections in the House with other members, the leadership, interest groups, and the media; (3) access to tools and resources for building legislative coalitions around important policy priorities in the House; and (4) almost instantaneous prestige and cachet that comes with being a part of a group with a known reputation in the House.

The theory offered here provides an alternative view of leadership change in the House from the pre- to post-reform era. The bulk of the congressional literature explains leadership

change through two specific mechanisms – formal rules changes expanding access to leadership positions, and ideological coalition changes that shift party incentives in leadership selection (Harris and Nelson 2008; Becker and Moscardelli 2008; Rohde 1991). These two views of leadership change emphasize the role of groups (e.g. the emergence of new groups spurs the adoption of new rules and shifts dominant ideological coalitions in the party), but the organization of the group itself is largely irrelevant. Instead, party and committee leaders change when the incentive structure within parties shift, either for individual members and/or for the party at-large. I contribute a third mechanism of group-led leadership change – groups spur leadership change by preparing their natural ideological allies to be competitive for elected and appointed leadership positions in the House. The theory offered here is not incompatible with other theories of party leaders that stress participation in party building activities, including supporting the election of their fellow partisans (Pearson 2015). DSG helped socialize ambitious members into the responsibilities of leadership decision-making, and helped foster the connections (and relationships) between and with other members necessary for members to come out on top in a Caucus-wide election. Where my theory of leadership emergence departs is in its understanding of leadership emergence through groups, rather than individuals. Many political scientists view leadership emergence through individual level characteristics, including ambition, partisanship, ideology, fundraising activities, personality and leadership style, and so forth (Loomis 1984; Peabody 1967, 1976; Harris and Nelson 2008; Sinclair 1999; Becker and Moscardelli 2008). To the extent that groups play a role in these theories, it is largely as an ideologically-driven voting bloc. The theory offered here contributes to this literature by integrating the role of individual characteristics with the increased presence of factional representatives in formal party leadership posts. Individual level characteristics are undoubtedly critical in explaining the movement of *individual* members to formal leadership positions in

Congress, but they are not as useful in explaining how a group of members might grow to monopolize leadership positions within the party.

Conventional explanations of leadership change in the 1960s and 1970s often obscure the complex dynamics shaping power in the textbook Congress – and the strategies adopted by liberals to challenge their conservative colleagues. Liberals faced considerable institutional hurdles to realizing their leadership ambitions – hurdles that went far beyond antagonistic committee chairs. Speaker Sam Rayburn (D-TX) was uninterested in recruiting allies of DSG for formal leadership posts – liberals’ relatively benign request to place a single “western” liberal member on the Rules Committee was outright denied.¹ This was a strategic decision by Rayburn – the appointment of an additional liberal would have further publicized ideological divisions and conflict within the party, harming the party brand (Cox and McCubbins 1993, 2005), and arguably, majority party status (Peabody 1967). And despite Rayburn’s token recruitment of Rep. Richard Bolling (D-MO) into his inner circle – a relationship arguably built more on personality than ideological cohesion – the internal divisions within the Democratic Caucus hindered Bolling’s ability to move up the leadership ladder after Rayburn’s death. And there were few other appointed or elected venues for liberal leadership ambitions. Until the passage of the 1970s reforms, Caucus leadership positions were largely titles in name only with little compensatory power. And the bottom rung of the automatic “escalator” to the leadership (Peabody 1976) – Democratic whip – was appointed by the Speaker and Majority Leader. Despite the fact that several whips went on to become Speaker, including Tip O’Neill (D-MA)

¹ While congressional scholars typically divide Democrats between “Northerners” and “Southerners,” the most active liberal reformers self-identified as “westerners” and specifically advocated for improving the representation of “*western*” members and constituencies. When liberals met with Speaker Sam Rayburn to discuss the possibility of placing a “westerner” on the Rules Committee in January 1959, the Speaker replied, “You boys can raise this in the next Caucus if you want to, but I think you better not” (Undated 1959 meeting minutes between Speaker Sam Rayburn and John Blatnik. DSG papers, Part I, box 55, folder 7). This was a relatively minor request on the part of liberals because a single additional member on the Rules Committee would not have given liberals a majority over the southern Democratic-GOP coalition.

and Thomas Foley (D-WA), rank and file members had no say over who held the position until the rules change in 1986 to provide for a Caucus-wide vote.

Conventional explanations of leadership change in the reform era focus on the two mechanisms of leadership advancement identified above. As the liberal bloc grew, the urban, big machine-southern, conservative Democratic coalition “predictably” weakened (Cox and McCubbins 1993). This provided an incentive for parties to elevate more ideologically extreme leaders (over ideological middlemen) (Harris and Nelson 2008; Peabody 1976), and to pass reforms centralizing power in the leadership (Rohde 1991). Formal rules changes in the Democratic Caucus also expanded the total number of leadership positions available in the House by placing limitations on the total number of leadership positions any one member could hold, establishing some term limits, and creating new leadership positions in the House. The increased potential for members to achieve leadership positions provided a strong incentive for rank and file members to support the passage of these rules changes (Schickler, Sides and McGhee 2003).

Liberal Democrats undoubtedly pursued a dual strategy of supporting the election of more liberal members to the House, and campaigning for the adoption of rules changes expanding access to leadership positions. But rather than simply bide their time and wait for more liberals to be elected, or for the adoption of formal rules changes to finally occur – both of which would not occur until the 1970s – liberals structured DSG as a separate power base in Congress. Denied leadership experience in the formal structures of the House, ambitious liberals organized DSG to provide these opportunities. Seniority limited the ability of junior liberal members to make a name for themselves, to develop policy expertise, to become coalition leaders, and to assume agenda-setting roles within their party. Liberals organized DSG to challenge these power asymmetries – using the organization’s activities, services, and leadership platform to provide their allies and representatives with the skills, connections, resources and tools, necessary to be

competitive for elected and appointed leadership positions in the House. This training, I argue, created an alternative leadership pipeline, and enabled the movement of DSG allies into formal party and committee leadership positions – and ultimately, a liberal monopoly of Democratic leadership positions in the post-reform House.

The “Executive Committee”

When liberals established DSG in September 1959, the election of a leadership was the first group decision; leaders initially comprised of Reps. Lee Metcalf (D-WY) as chair, James Roosevelt (D-CA) as vice chair, and Frank Thompson (D-NJ) as secretary.² These elected representatives would come to constitute the “Executive Committee,” which will be the primary focus of the analyses presented in this chapter. From 1959 to 1995, the Executive Committee comprised between 8 and 38 of the most ambitious, active, and engaged liberals in the House. It was the site of the majority of DSG’s leadership training, although the group provided a range of activities and services that cultivated leadership skills among the broader membership. Initially headed by a small group of members, the committee would grow to include several (at-large) vice-chairmen, a separate secretary and whip, regional vice-chairmen, a freshman representative, 1-2 appointed members, and all former chairmen of the organization, by the early 1970s. Former chairmen were guaranteed a seat as long as they served in the House, which formalized the relationship between DSG allies after they moved into formal leadership positions – ensuring that they were not only involved in DSG decision-making, but they were encouraged to contribute valuable leadership intelligence, as well as resources provided by the leadership apparatus.³

² September 9th, 1959 Meeting Minutes of the Policy Committee Meeting, House Judiciary Committee Room. DSG papers, Library of Congress, Washington, D.C., part I, box 135, folder 10.

³ For example, if a DSG leader became the whip (such as Rep. Thomas Foley (D-WA) or Rep. John Brademas (D-IN)), they could share information about where other members stood on a bill, and how that was likely to shape leadership strategy on the floor.

Figure 5.1: Seniority Differences Between DSG & Democratic Party Leaders

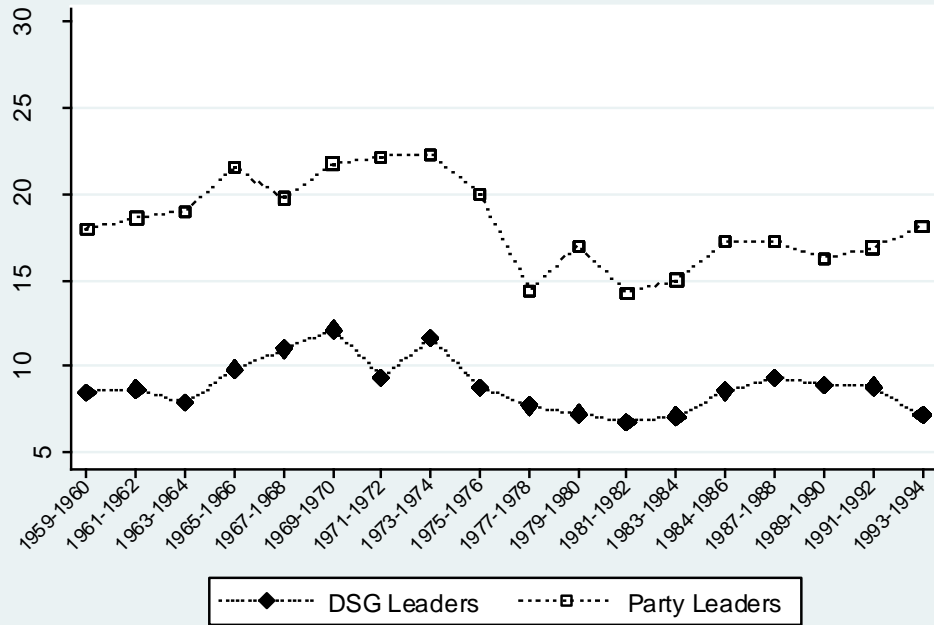
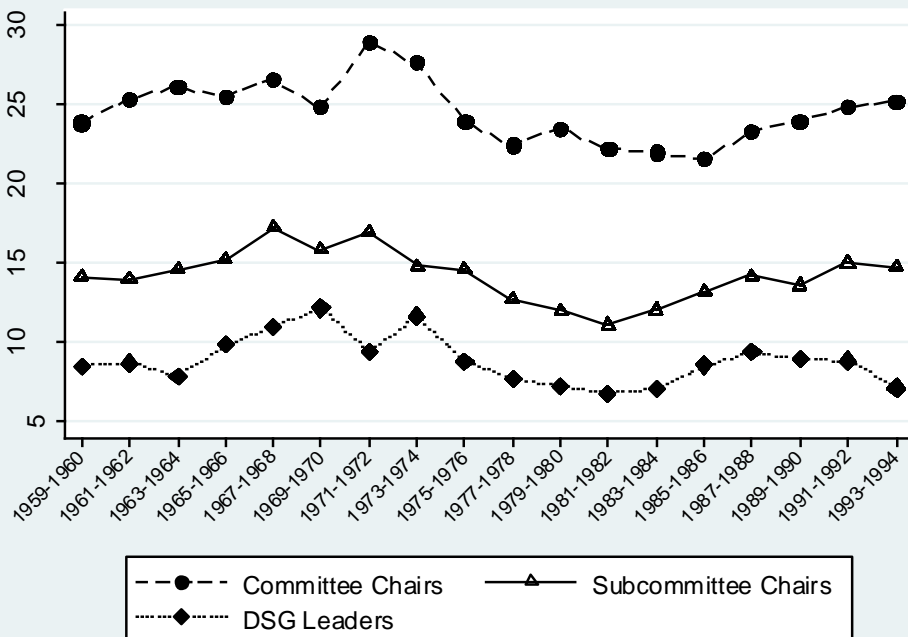


Figure 5.2: Seniority Differences Between DSG & Committee Leaders



Executive Committee members remained considerably more junior than formal leaders throughout the group's tenure in the House. Figures 5.1 and 5.2 compare seniority differences between the DSG leadership and party and committee leaders, respectively, from the 86th – 103rd congresses.⁴ These differences were especially pronounced in the 1960s and 1970s. While DSG leaders averaged about 8.5 years in office (or 4 terms), party leaders averaged 18 years (9 terms) of service in the House (Figure 5.1). Similar trends can be observed in Figure 5.2, with DSG leaders consistently ranking significantly beneath the average seniority of both subcommittee and full committee chairs. Committee chairs averaged 24 years (12 terms) of service and subcommittee chairs averaged 14 years (7 terms) of service.⁵

The continuity in seniority status of the DSG leadership is remarkable. Despite significant increases in the size of the liberal faction, and the adoption of reforms expanding junior members' access to power (Rohde 1991; Schickler, Sides, and McGhee 2003), DSG remained a site in Congress where junior members dominated available leadership positions. This continuity reflects a culture among liberals that the responsibilities and opportunities associated with serving as a DSG leader should be spread among members, rather than concentrated among a small subset of them. Beginning with original DSG chairman's (Rep. Lee Metcalf (D-MT)) election to the Senate in 1960, DSG began an informal practice of rotating their leadership. No single member occupied the same role in two consecutive congresses.⁶ During the March 1965 DSG leadership election, outgoing chairman Rep. John Blatnik (D-MN) said that "It has always been my strong feeling that there should be a rotation of officers and a broad sharing

⁴ DSG leaders are operationalized as members of the DSG executive committee, a group of 8-32 members elected by the membership to make decisions on the group's behalf. DSG leadership data was collected from the DSG papers at the Library of Congress in Washington, D.C., and seniority data on all Democrats was collected from the Congressional Quarterly.

⁵ These significant seniority differences also reflect the growth of careerism in the House, which worked against the ambitions of many junior members (Hibbing 1991).

⁶ For example, a member could move up from the secretary or whip position to the chairmanship, but they could not stay as the secretary or whip for two consecutive congresses.

of responsibilities in DSG.”⁷ This practice was formally inscribed into the DSG bylaws at the request of outgoing chairman Donald Fraser (MN) in 1971. In a letter announcing nominations for the Executive Committee in 1973, the nominating committee wrote, “In no small part, the past success of DSG in meeting such challenges has been due to the renewed energy and drive and the fresh ideas which successive new leaders have brought to our group.”⁸ These archival documents suggest that Executive Committee service was not just a responsibility for members, but an opportunity as well.

Rotating membership of the Executive Committee ensured that DSG provided leadership opportunities and experience to a wider and more diverse group of members – in stark contrast to the committee system, which across numerous, conflicting theories of organization (Adler and Lapinski 1997; Cox and McCubbins 1993, 2005; Krehbiel 1998; Hall 1998) favors and result in the leadership and participation of a smaller number of members. Instead, DSG disseminated this training and experience, rather than concentrating it among a subset of members. Rotating leaders also ensured that no single member could rely exclusively on DSG as a platform for their leadership ambitions. This is especially important in ensuring that DSG remained a consistent mechanism of progressive change in the House. If “Institutions, like people, tend to radicalism in youth and conservatism in old age” (Cannon 1971), then the forced leadership rotation helped DSG evolve as the House itself evolved. While factions built on the foundation of a single charismatic leader are unlikely to prevail over the long-term, DSG’s organizational structure ensured that they consistently attracted and socialized a new group of ambitious, liberal members into the House leadership.⁹

⁷ Introductory Remarks, March 3, 1965 DSG meeting, DSG papers, Part II, box 3, folder 8.

⁸ DSG papers, Part II, box 4, folder 1.

⁹ One consequence of DSG’s rotating leadership was the elevation in responsibilities and importance of the DSG staff. Every staffer interviewed in the course of this project stressed that the rotation of the leadership did not negatively impact DSG’s ability to develop long-term plans or strategy. Rather, it elevated the significance and power of the DSG staff – which numbered between 20-25 by the 1970s – and in particular,

The Executive Committee constituted a cross section of liberal Democrats, but the overwhelming majority were from western and mid-western states. Broad geographic representation helped ensure that the group anticipated potential regional problems or concerns, with members giving “insights into how people from those regions would think.”¹⁰ And as liberals were disproportionately likely to be elected from marginal districts, so too were many Executive Committee members – giving DSG unique insights into the needs of rank and file members often ignored by electorally safe party and committee leaders. Some Executive Committee members even represented districts where association with DSG posed an electoral threat. In an interview with political scientist Thomas Mann who worked for Rep. James O’Hara (DSG chairman from 1967-1968) – he recalled that O’Hara “represented a pretty conservative democratic constituency...where George Wallace did extraordinarily well.”¹¹ Liberals in DSG’s early days were keenly aware of the electoral vulnerability posed by association with the “official organization of liberals” in the House. The group was careful to recruit junior members with a promise of confidentiality, providing reassurance that their opponents in future elections could not use their membership against them.¹² For example, in 1965, Rep. Thomas Foley’s (D-WA) conservative district provided a challenge to Rep. Mo Udall’s (D-AZ) recruitment efforts. In a letter thanking him for a check for his membership dues, Udall wrote, “As I told you this morning, the DSG officers are *keenly aware of the nature of your district and the special problems that you face. There are no DSG membership lists*, but we are happy to provide you

the executive director. The DSG executive director was considered such an important position that DSG’s longest serving top staffer, Richard “Dick” Conlon, was referred to in press reports as the “436th Member of the House.” Both Conlon and his successor, Scott Lilly, were on a first name basis with nearly all members they interacted with, and had strong personal relationships with many Executive Committee members.

¹⁰ August 6, 2015 in-person interview.

¹¹ November 17, 2015 telephone interview. Mann served as an APSA fellow for O’Hara.

¹² Of course, the archival record strongly contradicts any claims made about this policy. DSG kept numerous, detailed records of its members and research subscribers each Congress, including records of member financial contributions. The policy was, more accurately, a promise that DSG would not disclose membership lists to the press, the leadership, or anyone else – a promise that DSG strenuously upheld throughout their tenure in the House.

with the benefit of research and assistance of our group” (emphasis added).¹³ Udall’s letter suggests that Foley’s membership in DSG was conditional on its secrecy. Obviously by 1975 when Foley became DSG chairman, the benefits and power of public association with – even leadership of – DSG outweighed the potential negative electoral consequences.

Executive Committee meetings, which occurred on average once every two weeks, socialized junior members into the responsibilities and compromise inherent to leadership decision-making. Each meeting was organized around a specific agenda set by the chair and executive director, but individual members were encouraged to contribute. Nevertheless, Executive Committee meetings were not dominated by “aimless discussions and monologues or to be interrupted by members who want to pursue their [personal] agendas.”¹⁴ Meetings were action-oriented – anchored around specific events or the membership’s needs (upcoming legislation, leadership races, elections). When members disagreed over a course of action (about where to devote resources, strategy, whether to endorse a bill), the committee cast a formal vote and the majority decision carried. If the committee was significantly divided, the decision was sometimes forwarded to the full membership to be voted on at the next membership meeting.¹⁵

The archival record suggests that Committee meetings served as a forum for members to discuss their own legislative and policy priorities. A former DSG staffer who regularly attended these meetings described this process in the late 1960s and 1970s:

“The idea was the chair of DSG and maybe one or two other members...would contact [executive director] Dick and say go get the members together. It’s more like a sharing [forum]...it was a pretty large group, which was good – you’re lucky when you have a meeting and you’re lucky to get a dozen. *The idea was to have some give and take.* Some

¹³ June 24, 1965 letter from Udall to Foley. DSG papers, Part II, box 132, folder 6.

¹⁴ Undated memo from Conlon to Brodhead. DSG papers.

¹⁵ DSG always strived to compromise and settle debates before taking procedural and policy matters before the Democratic Caucus. At a 1981 Symposium on the U.S. Congress honoring Tip O’Neill, Conlon said “Each of the various reforms was subjected to prolonged and deliberate discussion and debate in the DSG Executive Committee and at DSG membership meetings before being offered in the caucus to make sure they would work as intended and that they would not have undesirable side effects. As a result, virtually all of the major DSG reforms were approved as initially offered” (Hale 1983, 241).

issues on the take, they know they have to deal with legislatively in the weeks ahead. Just talk about it, how they wanted to handle it, how they want to [address it]” (emphasis added).¹⁶

DSG was unique among groups in the House in its emphasis on active participation by members serving on the leadership. And as the caucus system exploded during the 1970s and 1980s, many members belonged to numerous organizations, and their leadership board was more perfunctory and symbolic than substantive (Hammond 1989; 1991). Scott Lilly, a longtime congressional staffer and former DSG executive director, described how DSG leaders differed from the leaders of other caucuses in the House:

“We wanted the Executive Committee to not only help us think about what we were gonna do, but make our efforts resonate more broadly in the House once we did something...we did have a good deal of investment by a lot of the Executive Committee. There were some people who belonged to 15 different LSOs, and didn’t participate in any of them. We tried to make sure that didn’t happen in DSG.”¹⁷

The archival record supports Lilly’s account of members’ commitment to DSG. Executive Committee meetings were generally well-attended by DSG leaders, and they actively participated in the discussions.

PART I: Expanding Leadership Pathways in the Textbook Congress & Beyond

Liberal Democrats were keenly aware of the importance of elevating their allies into formal leadership positions in order to secure rules changes and liberal policy outcomes on the floor. But rather than bide their time until the passage of new rules – which eventually occurred in the 1970s – liberals organized DSG to provide members with the opportunity and capacity for leadership. In this section, I analyze the process through which DSG prepared their strongest, most ambitious allies to be competitive for appointed and elected leadership positions by providing them with leadership training denied to them in the formal structures of the House.

¹⁶ September 23, 2015 telephone interview.

¹⁷ October 28, 2015 telephone interview.

DSG's training cultivated four key facets of leadership: 1) Policy Expertise; 2) Visibility and Connections; 3) Coalition Building Experience; and 4) Institutional Cachet and Prestige. My research of the archival record and interview data suggests that the dominant scholarly conclusion that the successful transition of junior liberals into formal leadership positions is solely due to formal rules changes and the "homogenizing" of the House Democratic Caucus should be reassessed.

Policy Expertise

DSG structured their services and activities to foster the development of policy expertise for their leaders (and members). While political scientists often assume that the committee system promotes the development of policy specialization in Congress (Adler and Lapinski 1997; Cox and McCubbins 1993, 2005; Krehbiel 1991), liberals confronted an institutional environment that limited their ability to cast knowledgeable votes, or to learn about policy issues outside of their committee work. In order to advance the leadership hierarchy, DSG was designed to promote a broader base of policy knowledge.

As I discussed in chapter four, members were exclusively dependent on committees to obtain legislative information from the mid-1950s through the 1990s. The leadership provided very little information about legislation (and what it did provide was supplied through committees). These biased information networks reinforced power and informational asymmetries between junior liberals and southern conservatives. One former DSG staffer said that Dixiecrats viewed information sharing negatively, remarking that chairs believed "the less that's known out there, the better."¹⁸ DSG challenged these informational biases by "getting that

¹⁸ September 23rd, 2015 interview with a former DSG staffer.

information out and more broadly and from a less restrictive source.”¹⁹ DSG’s various publications outlined the legislative schedule, and provided critical procedural information (terms of consideration on the floor), policy information (bill content) and political intelligence (position of key groups, the leadership, the White House, and so forth on the bill; major arguments for and against; major points of contention). Collectively, these research services subsidized the cost for members and their staff to become knowledgeable about any policy.²⁰

In addition to the research services, DSG challenged committee biases in policy information through their task force system. During most congresses throughout their tenure in the House, DSG organized a series of task forces around specific policy areas to support the development of their member’s policy expertise and leadership (pre-dating many of the leadership-led efforts to replace committee action with party task forces on legislation) (Sinclair 1985, 2011). These policy areas reflected Democratic priorities, the interests of members themselves, and areas where the committee of jurisdiction (including the Rules Committee) provided a blockade to consideration of key policy problems. Task forces were responsible for holding educational hearings on particular subjects, meeting with experts, arranging membership meetings of interest to members, monitoring committee activity on issues within the task force’s responsibilities, developing legislation or amendments where appropriate, and preparing reports and other materials to present the findings and recommendations of the task force.²¹ The task forces functioned like an alternative committee system, providing opportunities for members to assume policy leadership roles and become knowledgeable about policy areas outside of their committee work.

¹⁹ November 4th, 2015 interview with a former DSG staffer.

²⁰ See chapter 7 for a discussion of the policy implications of the research services.

²¹ Guidelines for DSG Task Forces, 1983. DSG papers, Part II, box 6, folder 3. It should be noted that not every task force was as engaged and active, both in their own activities and in challenging committee decision-making (Mann, Stevens and Miller 1974).

In the 1960s and 1970s, the committee system limited the development of policy leadership roles for junior members in a few ways. Seniority norms ensured that these members were unable to head subcommittees, or even to participate in the consideration of legislation and policy issues in committees. Junior liberals, in particular, were frequently instructed by their conservative chairs to sit down and not speak during committee meetings and hearings. One top DSG staffer interviewed recalled how Foley would always tell other members on the Agriculture Committee stories about his early experiences on the committee: Foley told them that “the committee chairmen wouldn’t even let you talk. He [former Agriculture Chairman Poage] wouldn’t even want to allow the members to say anything as a freshman. He would say, ‘maybe if you are re-elected, then maybe you can say something....For all I know, you got elected by accident. Maybe if you come back again, you can say something.’”²² Armed Services Committee Chairman F. Edward Hebert’s (LA) infamous reference to the new members of the 94th Congress as “boys and girls” was merely one in a long line of indignities hurled at junior liberals by their senior conservative colleagues (Yang 1992).

Today, freshman members still participate less in committee proceedings than other members (Hall 1998), and opportunities to assume formal and informal policy leadership positions are rare (French 2016). Emphasis on the committee system as the mechanism through which members specialize in policy limits the opportunities available to members to gain experience and influence legislation outside of their committee work.²³ There are, of course, a limited number of majority party positions on any committee, and many junior members are dissatisfied with their initial committee assignment. Junior members often receive assignments

²² Other junior members during this period have shared similar accounts, including Rep. Dave Obey’s (D-WI) recollections of being told to “sit down and shut up” by chairmen. Remarks, September 16th, 2015, Congressional Reform Symposium, Capital Visitor’s Center, Washington, D.C.

²³ In part, this is because committee work generally occurs on the same days and times each week (allowing for regular party meetings, district work time, and floor schedules). Members with more than one committee assignment often find it difficult to participate equally across their committee assignments.

that reflect neither their personal background and skills, nor their constituent's interests. It is far more difficult for these members to pursue their policy or electoral goals in the House as a result (Fenno 1973; Kellerman and Shepsle 2009; Rohde and Shepsle 1973).

DSG's task force system challenged these biases by providing opportunities for members to engage with policy areas outside of their committee. Table 5.1 presents data on the membership make-up of DSG task forces in the 87th, 89th, and 91st Congresses. Of the 22 task forces analyzed, only 5 drew a majority of their membership from members who served on the corresponding committee of jurisdiction. In other words, the majority of liberal members served on DSG task forces with a *different* policy focus than their committee work. Records of requests by members to serve on a specific committee are only available for the 91st Congress, but the same trends can be observed there as well. The majority of members requested to serve on a task force with a different policy focus than their own committee assignment(s). Only on the Economic & Tax Policy, Health & Welfare, and Education task forces did a majority of requesting members also serve on the corresponding committee of jurisdiction.

| Table 5.1: DSG Task Force Membership: Convergence & Divergence with Committee Service | | |
|--|---|--|
| Task Force | Member Serves on Task Force & Committee of Jurisdiction | Member Serves on Committee of Jurisdiction & <i>Requested</i> to Serve on Task Force |
| 87 th Congress (1961-1962) | | |
| <i>Natural Resources</i> | 6 (35%) | |
| <i>Medical Care for the Aged</i> | 5 (25%) | |
| <i>Economic Policy</i> | 7 (50%) | |
| <i>Education</i> | 12 (63%) | N/A |
| <i>Foreign Affairs</i> | 3 (15%) | |
| <i>Housing</i> | 6 (50%) | |
| <i>Rules Reform</i> | 0 | |
| 89 th Congress (1965-1966) | | |
| <i>Foreign Affairs</i> | 6 (20%) | |
| <i>Civil Rights</i> | 5 (17%) | N/A |
| <i>DC Home Rule</i> | 6 (26%) | |
| <i>Full Employment</i> | 4 (24%) | |
| 91 st Congress (1969-1970) | | |
| <i>Civil Rights & Minority Affairs</i> | 3 (21%) | 1 (20%) |
| <i>Consumer Affairs</i> | 4 (27%) | 0 |
| <i>Economic & Tax Policy</i> | 7 (58%) | 6 (55%) |
| <i>Food & Agriculture</i> | 2 (22%) | 3 (43%) |
| <i>Health & Welfare</i> | 5 (38%) | 5 (100%) |
| <i>International Affairs & Defense Policy</i> | 7 (23%) | 4 (29%) |
| <i>Congressional Reorganization & Reform</i> | 2 (15%) | 0 |
| <i>Urban Affairs</i> | 1 (8%) | 4 (33%) |
| <i>Law Enforcement & Constitutional Rights</i> | 6 (55%) | 4 (40%) |
| <i>Natural Resources & the Environment</i> | 2 (14%) | 2 (25%) |
| <i>Education</i> | 6 (3%) | 4 (57%) |
| Source: Task force membership lists from the DSG papers, Library of Congress. 87 th -89 th Congress: part I, box 6, folder 2. 90 th Congress: part II, box 36, folder 13. 90 th Congress: part II, box 36, folders 4-7, 10, and 13. 91 st Congress: 92 nd Congress: part II, box 36, folders 6-8. | | |
| NOTE: The second column lists the number of task force members who serve on the relevant committee of jurisdiction for that policy area (and the percentage of total task force members). In some cases, the task force agenda addresses multiple committee jurisdictions (for example, economic and tax policy falls under the jurisdiction of Ways & Means, Appropriations, and the Banking & Currency committees). The third column lists the number of members who requested to serve on a task force that overlaps with the jurisdiction of one or more of their committee assignments. Unfortunately, the archival record only includes these records for the 91 st Congress. | | |

Rep. Shirley Chisholm. Rep. Shirley Chisholm's (D-NY) experiences as a freshman in 1969 are representative of how DSG challenged the policy limitations posed by the committee system. When Chisholm was first elected to the House to represent New York City's 12th district in 1968, she was placed on the Agriculture Committee (and later Veteran's Affairs)—an assignment she protested because it did not reflect either the urban issues in her district or her

background in education (and which some Democrats viewed as racially discriminatory).²⁴ The formal structure of the House made it difficult for Chisholm to directly participate in policy debates related to her own and her constituent's interests. Moreover, her urban constituents were less likely to care about any policy achievements she secured through the Agriculture and Veteran's Affairs committees. Chisholm eventually secured a position on Education & Labor (viewed by many as a 'carrot' from Hale Boggs for her vote in his heavily contested majority leader race), but before she did, she gained experience serving on DSG's Education task force. It provided an outlet for her expertise in education, enabling her to remain informed and involved in education policy prior to her eventual assignment to Education & Labor, as well as providing some tangible evidence of her advocacy on behalf of her constituent's interests in an important policy area. These are critical components of the credit claiming and position taking activities thought to be important for members' electoral goals (Mayhew 1974), as well as their policy goals (Hammond 1989).

It is not possible to evaluate the counterfactual scenario, or to administer knowledge tests to members to determine whether their knowledge of a given policy area increased after service

²⁴ In a February 2, 1971 DSG membership meeting, Rep. Herman Badillo (NY) invoked Rep. Chisholm's experiences in his request for DSG's support in protesting his committee assignments. His remarks illustrate both the electoral and representational challenges for individual members of relying exclusively on committee work to develop policy expertise: "Freshman Badillo outlined his case against his assignment to the Agriculture Committee. He argued that the committee ratios on his first three choices (Education & Labor, Banking & Currency, and Interstate and Foreign Commerce) were not correct, that he could be put on any of these without bumping another Democrat. *His major contention was that that assignment to Agriculture could only be viewed as an insult to Puerto Ricans and New Yorkers in light of the same treatment that was given to Rep. Chisholm as a freshman.* Rep. Gibbons spoke of the geographical imbalance of putting him on Education and Labor. Rep. Dellums said that geographic criteria should be irrelevant in making assignments, that a person's ability and interests are more important. Rep. Burton moved that the DSG go on record to request the Caucus to add more seats to both Armed Services and Education & Labor to accommodate Rep. Abzug and Badillo respectively. During the debate on the motion, Rep. Udall announced that a deal could probably be arranged with Tino Roncalio who had been placed on Education & Labor and was not pleased with the assignment. Following this, Fraser suggested that Burton amend his motion to place the DSG on record to help get desirable assignment for those freshman who were unhappy. That was done" (emphasis added). DSG Meeting Minutes, DSG papers, Part II, box 6, folder 8.

on a DSG task force. However, these data clearly illustrate that not only were members themselves interested in participating in policy development outside of their own committee, but DSG provided members with the opportunity to do so. In short, DSG subsidized the cost of developing policy expertise on a wider array of policy issues – challenging the participation biases inherent to the formal structures of the House.

Visibility & Connections

If formal leadership positions in Congress inevitably imbue their holders with a certain amount of visibility and built-in connections with organized interests, DSG provided their leaders with an institutional platform that promoted their name recognition and cultivated relationships with key figures. Unlike Senators, members are reliant on leadership positions to gain press attention and develop connections with individuals and groups inside and outside of Congress. Absent these institutional positions, it is difficult for members to achieve the same level of visibility or to cultivate the same relationships. DSG leadership experience ensured that members' fellow partisans, party and committee leaders, and outside interests not only knew who they were, but fostered relationships between them.

The breadth and diversity of DSG's research services promoted a relationship arguably without parallel between the liberal faction and the Washington Press Corps, which fostered greater visibility for DSG leaders. For many journalists assigned to Capitol Hill, the research services subsidized the cost of researching and writing on Congress (in contrast to dominant views of informational exchanges in Congress (Hall and Deardorff 2006)). One DSG researcher recalled that "journalists really wanted our materials. I remember...journalists were always running over...[to get] the Daily Report, the Fact Sheet, whatever else we published that

night...when they opened the office the next morning.”²⁵ DSG’s information made journalistic work easier – it was a readily available and trusted source of information on the legislative schedule, committee work, the positions of interest groups, the leadership and the White House. The usefulness of the research for journalists is not surprising. Longtime executive director Dick Conlon was trained as a journalist prior to coming to DSG, and approached the majority of the research services through a journalistic lens with an emphasis on verifiable evidence.

The close, regular relationship between DSG and the press helped foster a public platform for DSG leaders.²⁶ When liberals were elected or appointed to leadership positions in DSG, the press routinely covered these stories – something that was not true of all other groups and factions in the House at the time. When DSG had contested leadership races, they were not only the subject of news stories, but they were covered as significant Democratic leadership races indicative of larger intra-party battles. The 1979 battle for DSG chair between Reps. Dave Obey (D-WI) and Richard Ottinger (D-NY) is a good example of this phenomenon. In the Obey-Ottinger race, which ultimately resulted in Obey winning 173-74, Mary Russell of the *Washington Post* noted that the leadership was keenly interested in the race, and Majority Whip (and former DSG Executive Committee member) John Brademas was working on behalf of Obey’s candidacy.²⁷ The leadership’s interest in the race was suggestive of split liberal alliances in the Democratic Caucus. DSG encouraged this coverage by routinely providing their leaders with press services. Whenever a DSG member was appointed to lead a task force, DSG announced the appointment in a press release that stressed the member’s qualifications and interests. DSG also offered to prepare press releases for task force leaders and members to

²⁵ September 21st, 2015 interview with former DSG staffer.

²⁶ This close relationship does not necessarily mean that the media always covered DSG in a positive light – it merely means that the press was aware of and followed DSG – their activities and leaders – more so than other groups.

²⁷ “Liberal House Democrat Contest: Loyalist vs. Independent,” February 26, 1979, *Washington Post*. DSG papers, Part II, box 4, folder 5.

announce their service on policy task forces to local media back home in their district.²⁸ These services helped members foster a higher public profile for their work in Congress, enabling them to engage in position-taking and credit claiming (Mayhew 1974).

In addition, DSG developed relationships between their leaders and organized interests through their campaign work. The DSG Campaign Fund began in the early 1960s, and was led by a chairman and a small group of liberals – providing a liberal corollary to the Democratic Congressional Campaign Committee. DSG was often very critical of the DCCC because they believed the organization was structured to disproportionately help safe seat, southern members, rather than vulnerable liberal members in western states. The Campaign Fund enabled liberal leaders to build strong alliances with outside interests, including groups like the National Committee for an Effective Congress (NCEC), the Leadership Conference on Civil Rights, and various labor groups, including the AFL-CIO, UAW, and SEIU. According to political scientist Thomas Mann who worked with the DSG Campaign Fund in the 1970s: “You could see the DSG Campaign Fund as a precursor to the modern day congressional campaign committees...where connections were made to the broader party network.”²⁹ The archival record is filled with numerous letters between these groups and DSG staffers and leaders. Groups routinely wrote to the Campaign Fund (or DSG) to share lists of “good liberal candidates,” and wrote checks for DSG to contribute to their campaigns. The DSG Campaign Fund also served as a recruitment tool for DSG. One longtime DSG staffer I interviewed recalled how “we were very much

²⁸ For example, on September 18, 1965, Rep. Patsy Mink (D-HI) issued a press release announcing her membership of the newly formed DSG Full Employment Steering Committee: “Its purpose is to undertake a comprehensive study of the policies needed to meet the national goals of full employment...” DSG papers, box 148, folder 13. In an example of the local newspaper coverage that often followed these press releases, the *Oakland Post* published a column on May 26, 1971 covering Rep. Ronald Dellums’ (D-CA) appointment as vice-chair of DSG’s Consumer Task Force. The paper not only noted how unusual it was that Dellums, a freshman, had been appointed to a position normally reserved for “older Congressmen,” but it tied him to “The Group” that played a “key role in enactment of all major social legislation over the past decade” and “led efforts to reform and modernize Congress.”

²⁹ November 17, 2015 telephone interview.

involved, and...talking to other organizations like the NCEC that pay attention to candidates so we were able to identify really good people and really have an impact. They [members] would know that going in and...immediately join the DSG so they could get the [legislative research] reports.”³⁰ DSG provided an institutional mechanism for groups and ambitious members to form connections with candidates, and for liberal leaders already in Congress to develop strong, reciprocal relationships with outside groups.

And when freshman Democratic members were first elected, DSG provided their initial introduction to Congress through their orientation sessions – simultaneously providing a critical service for freshman (and the party at-large) while also elevating the profile of the DSG leaders who were not only the public face of the orientation sessions, but were often the first congressional “leaders” new members officially met. DSG was a pioneer in this regard. Before the leadership developed their own comprehensive session for freshman, DSG provided one.³¹ They even reimbursed members and their spouse for a separate trip to D.C. for the orientation, which was held in November after their election.³² These orientation sessions included a series of practical seminars built around topics like how to make effective use of the mail (and franking privilege), ethics, and where to live and send your children to school in D.C. While the purpose of these orientations changed slightly over time, DSG Chairman Matt McHugh’s description of

³⁰ September 23, 2015 interview with former staffer.

³¹ A June 12, 1978 letter from Speaker Tip O’Neill to Majority Leader Jim Wright suggests that the leadership did not begin organizing orientation efforts until the 96th Congress and even when they did, they relied on former DSG leaders to lead the sessions: “As we discussed the other day, the orientation of new Members is a task of sufficient importance that it should be managed directly by the elected Leadership of the House. You are my designee from the Leadership to organize, coordinate, and supervise the program of orientation for newly-elected Members to the House when they convene here in Washington after the general election this fall. Please utilize such resources as are appropriately available to you. I particularly think it would be a good idea to draw liberally upon the experience of John Brademas and his staff since John did such a fine job in 1976. Likewise, Frank Thompson in the House Administration Committee should be a part of your plans.” Both Brademas and Thompson previously served on DSG’s leadership, and organized and led the group’s orientation sessions. DSG papers, Part II, box 52, folder 1.

³² November 30, 1982 DSG Reimbursement Form, DSG papers, Part II, box 99, folder 6. At the time, the House officially reimbursed Members for a single trip to Washington, D.C. prior to their swearing-in in January at the start of the new Congress.

their purpose in a 1984 letter to new members underscores how critical these early seminars were for freshman:

“DSG’s orientation is specifically designed to assist you with a number of extremely important decisions you will have to make before you are even sworn in as a Member of Congress – how to organize your Congressional operation, how many of your staff should be located in Washington and how many in your District offices, what kind of people do you need on your staff to meet your new responsibilities, what committee assignments can you realistically aspire to and how to go about seeking them, and a briefing on issues you will have to vote on in the organizing caucus in December.”³³ Speakers included current members of Congress, high level staffers, journalists and other notable figures. And at the end of each orientation, DSG hosted a reception for members and their spouses that was sponsored by interest groups (especially labor groups) – providing yet another opportunity for freshman and DSG leaders alike to form and strengthen connections in the “Washington Community.” From candidacy to election to office-holding, DSG fostered relationships between Democratic members and their fellow partisans, organized interests, leaders in Congress, the media, and other key figures. These relationships are a critical foundation for leadership posts in Congress (Peabody 1967) – absent DSG, junior liberals would have been entirely reliant on their own individual efforts to develop them.

DSG’s orientation sessions also served as the first formal introduction for freshman to new and emerging liberal leaders. This provided the liberal leaders of DSG with a tremendous visibility advantage in the House – many freshmen met DSG leaders prior to meeting incumbent party leaders and committee chairs, or even the Dean of their state delegation. As large freshman classes were elected into office, these initial introductions could provide a tremendous advantage for leadership candidates prior to the Caucus organizational meeting. In 1974-75, as the Watergate babies were swept into office, DSG’s orientations took on a new significance as they became the site of freshman “interviews” of all incumbent committee chairs on the eve of the historic overthrow of 3 committee chairs in the 94th Congress. These interviews set a precedent

³³ November 8th, 1984 Letter from McHugh to New Members. DSG papers, Part II, box 100, folder 1.

that would be repeated by Speaker Newt Gingrich (R-GA) at the start of the 104th Congress. Rep. George Miller (D-CA) recalled how DSG arranged the interviews, noting “that the only reason freshman saw them is that DSG put the interviews on their orientation schedule.”³⁴ The orientation session provided an opportunity for them to meet the large freshman class and present themselves as the liberal alternative. Candidates for other critical leadership races, including the heavily contested 1976 race for majority leader, and the 1986 race for the first elected majority whip, also addressed freshman at the DSG orientation. And by the 1980s, “[Speaker] Foley, he rigged the system so there wasn’t any question that DSG was the place to be....at the luncheon which we had for new members was the first chance [for freshman] to be face-to-face with the Speaker, which was a big deal.”³⁵

Phillip Burton’s Race for Caucus Chairman. The 1974 race for Caucus chairman between DSG Chairman Phillip Burton (D-CA) and B.F. Sisk (D-CA) starkly illustrates how the visibility and connections fostered by DSG’s campaign work enhanced members’ leadership prospects.

At the 1974 Democratic organizing meetings, the most competitive leadership race before Democrats was arguably the race for Caucus Chair. The top three party leadership positions (Speaker, majority leader, and majority whip) would not change hands, and prior to the nominations of the Steering & Policy Committee, Democrats did not anticipate challenges to incumbent committee chairs.³⁶ The position of Caucus Chair however, was considered among the

³⁴ December 5, 1990 executive committee meeting minutes. DSG papers, Part II, box 8, folder 8.

³⁵ October 28, 2015 telephone interview with former DSG executive director Scott Lilly.

³⁶ In 1974, Democrats voted to empower the Steering & Policy Committee as the Committee on Committees – the Caucus body tasked with assigning members to committees and making recommendations for committee chairmen. The Journal of the Democratic Caucus documents most Member’s shock and surprise at not only the committee chair nominations of Steering & Policy (S&P), but also Caucus votes overturning S&P nominations. For example, when S&P nominated Henry Reuss over Wright Patman, Majority Leader Jim Wright spoke out denouncing the decision: “I know some of you won’t feel fulfilled unless you make an example of some committees here. Why in the name of sweet reason do you single out Wright Patman for this kind of treatment – denying him a day in court, denying him an opportunity to have his stewardship accounted for by us members, denying us the opportunity to

most important decisions to be made by the Caucus – symbolic of the future role of the Caucus for the party. And as DSG’s strategy to make the Caucus into a mechanism of institutional change in the House and the major site of party decision-making succeeded – first through regular meetings, then through the consideration of its procedural and policy agenda – ambitious members were keenly aware of how important the position of Caucus Chair would become. Historically, the Caucus Chair was largely a symbolic position; it was not necessarily part of the automatic escalator to the Speaker (Peabody 1976). And prior to 1969, the Caucus only met once a Congress to vote on party leaders. But December 1974, by the 94th Congress, the position of Chair was no longer symbolic. National and regional news coverage of the race widely noted that the vote for Caucus chair was a proxy vote for the power of the Caucus. *National Journal* declared that the “power of the Caucus was seen to be the major issue” (1974, 1890) for members. The *St. Paul Pioneer Press* identified the race as a choice between “making the caucus the controlling body for House Democrats,” and leaving “the leadership of House Democrats in the hands of such leaders [Speaker Carl Albert].”³⁷

Burton’s competitor, Rep. Sisk (D-CA), was a moderate member of the House Rules Committee. At 63, Sisk was 15 years older than Burton. Sisk reputation was built on his membership of the Rules committee, and his leadership of the United Democrats in Congress (UDC). UDC was an organization of moderate Democrats in the House that was “not especially active on legislative issues. Its major group activity so far has been its support of Democratic Party “regulars” in their arguments with “reformers” over the Democratic Party’s new charter” (*National Journal* 1974, 1888). Sisk’s name was placed in nomination by Rep. John Moss (D-

pass upon his stewardship? Why Wright Patman?” Democratic Caucus papers, Library of Congress, Washington, D.C., Box 5, part 11.

³⁷ DSG papers, Part II, box 153, folder 2. Bailey, Gil. “Intraparty fight looms in House.” December 1, 1974.

CA), and seconded by Reps. Jim Wright (D-TX) and Dan Rostenkowski (D-IL), who tried to argue for Sisk's liberal credentials:

“In 1961, when we changed the Rules Committee to make it a more responsive arm of the leadership, Congressman Sisk was elected a member of that enlarged committee. Throughout the period of the 60s, during the Administrations of Presidents Kennedy and Johnson, he took the heat for which every member of the Rules Committee has to take for the popular and unpopular workings which make it possible to achieve, under Democratic Presidents, major new Democratic voters.”³⁸

Wright and Rostenkowski also stressed Sisk's role in drafting the 1970 Legislative

Reorganization Act – a bill which emerged out of a Rules subcommittee chaired by Sisk, but was so dramatically altered by DSG, including Burton, during its consideration on the floor that most liberals would hesitate to give Sisk responsibility for its passage or its effects on the House.³⁹ For Democratic “regulars” and “reformers” alike, there was no doubt that Sisk was the “conservative” candidate in the race.

Burton was considerably more junior than Sisk, although as Rep. Yvonne Burke (D-CA) noted in placing his name in nomination, he had “established himself as a leader in this Congress....one of the moving forces in the growth of this Congress.”⁴⁰ In the lead-up to the race and during the Caucus meeting, it was clear that Burton was the DSG candidate. Burton's nomination was seconded by incoming DSG Chairman Rep. Thomas Foley (D-WA) who said that he thought Burton would be “a very judicial chairman” (*National Journal* 1974, 1888) – a strategic framing of Burton's leadership style to a room of more senior Democrats who were somewhat wary of Burton's plans for the Caucus. Despite the perceived competitiveness of the race, Burton defeated Sisk 162-111.

The connections Burton formed with freshman through his leadership of DSG and the Campaign Fund was widely believed to be the critical factor in the race. *Roll Call* noted that,

³⁸Journal of the Democratic Caucus, Democratic Caucus papers, Box 4, folder 28.

³⁹ See chapter 6 for a longer discussion of the Legislative Reorganization Act and Sisk's leadership and participation on behalf of the bill.

⁴⁰ Journal of the Democratic Caucus, Democratic Caucus papers, Box 4, folder 28.

“Many of the Insurgents knew Rep. Burton personally, or at least recognized his name. Before the election, he had helped them raise money for their campaigns. His signature also appeared on letters accompanying campaign contributions that DSG mailed to 100 non-incumbent candidates because Burton chairs DSG’s campaign committee” (Lies 1974, 9, emphasis added).

In addition to the campaign contributions, Burton and DSG supplied the liberal candidates with opposition research, draft speeches, and other information critical for their campaigns. *National Journal* stressed that “In the early organizing meetings, *the freshmen knew few people except each other and the leaders of the DSG*” (1974, 1890, emphasis added). Burton himself attributed his win to the support of the freshman, telling “reporters he thought that 65 of the 75 freshmen voted for him.” This support was driven by his leadership of DSG, which provided him with the resources to make campaign contributions, a platform to build relationships with his fellow partisans, and the name recognition that enabled him to not only compete with a more senior member, but against stronger, entrenched support in the House.

Burton’s strategy in his campaign for Caucus chair reverberates in leadership campaigns today. Most ambitious members organize leadership PACs to foster relationships with new and incoming members prior to their election to Congress (with the hopes of attaining their votes in future leadership races). This strategy has been adopted by many Democratic members, including the current holder of Burton’s California House seat, Minority Leader Nancy Pelosi (Pearson 2015). DSG subsidized the cost for ambitious members to pursue this strategy by providing their own campaign committee and services, and helping to develop these critical early relationships between liberal leaders and new members.

Coalition Building Support

Third, DSG nurtured junior liberals’ coalition building skills by providing them with the resources and tools necessary to build support for their legislative goals. The group subsidized

the cost to pursue policy goals suppressed by the broader party.⁴¹ Policy leadership roles in the House are typically associated with committee and party leadership roles, which limits most junior members' ability to influence the content of legislation. These formal leadership roles provide their holders with the resources and tools necessary to build successful coalitions around legislation (Arnold 1990; Evans 2004; Wawro 2001). Junior members' limited access to the shared party resources and tools is arguably the ultimate impediment to their policy leadership development.

⁴¹ In chapter 7, I examine the policy implications of these coalition building tools. Here the focus is on the development of coalition building leadership *experience*.

| Table 5.2: DSG Task Force Leaders: Continuity & Divergence with Committee Service & Seniority | | | | |
|---|------------------------------------|----------------|---|----------------|
| Task Force | Chair on Committee of Jurisdiction | Seniority Rank | Vice Chair on Committee Of Jurisdiction | Seniority Rank |
| 87 th Congress (1961-1962) | | | | |
| <i>Natural Resources</i> | Yes | 16 (18) | | |
| <i>Medical Care for the Aged</i> | Yes | 19 (19) | | |
| <i>Economic Policy</i> | Yes | 14 (18) | | |
| <i>Education</i> | Yes | 5 (19) | N/A | N/A |
| <i>Foreign Affairs</i> | No | - | | |
| <i>Housing</i> | Yes | 8 (19) | | |
| <i>Rules Reform</i> | No | - | | |
| 89 th Congress (1965-1966) | | | | |
| <i>Foreign Affairs</i> | Yes | 18 (24) | | |
| <i>Civil Rights</i> | No | N/A | N/A | N/A |
| <i>DC Home Rule</i> | Yes | 14 (17) | | |
| <i>Full Employment</i> | Yes | 20 (21) | | |
| 90 th Congress (1967-1968) | | | | |
| <i>Standards of Official Conduct & Congressional Reform</i> | Yes | 4 (10) | | |
| <i>Civil Rights</i> | Yes | 13 (20) | N/A | N/A |
| <i>Appropriations</i> | Yes | 28 (30) | | |
| <i>Foreign Policy</i> | No | - | | |
| <i>Education</i> | Yes | 13 (19) | | |
| 91 st Congress (1969-1970) | | | | |
| <i>Civil Rights & Minority Affairs</i> | Yes | 10 (20) | No | - |
| <i>Economic & Tax Policy</i> | Yes | 4 (21) | Yes | 24 (30) |
| <i>Agriculture</i> | Yes | 8 (19) | No | - |
| <i>Health & Welfare</i> | Yes | 16 (20) | Yes | 12 (20) |
| <i>International Affairs & Defense Policy</i> | Yes | 20 (21) | No | - |
| <i>Congressional Reorganization & Reform</i> | No | - | No | - |
| <i>Urban Affairs</i> | Yes | 6 (21) | No | - |
| <i>Law Enforcement & Constitutional Rights</i> | No | - | Yes | 11 (20) |
| <i>Natural Resources & the Environment</i> | No | 14 (19) | Yes | 8 (19) |
| <i>Education</i> | Yes | 11 (20) | Yes | 7 (20) |
| 92 nd Congress (1971-1972) | | | | |
| <i>Economic & Tax Policy</i> | Yes | 4 (24) | Yes | 20 (33) |
| <i>Agriculture</i> | Yes | 11 (20) | Yes | 13 (20) |
| Source: Task force membership lists from the DSG papers, Library of Congress. 87 th -89 th Congress: part I, box 6, folder 2. 90 th Congress: part II, box 36, folder 13. 90 th Congress: part II, box 36, folders 4-7, 10, and 13. 91 st Congress: 92 nd Congress: part II, box 36, folders 6-8. 92 nd Congress: | | | | |
| Note: The second column indicates whether the task force chair serves on the corresponding committee of jurisdiction. The third column indicates the seniority ranking of the task force chair relative to other committee members (the numbers in parenthesis are the total number of committee members). Lower numbers (relative to total committee membership) indicate the task force chair is higher up the committee hierarchy, and higher numbers indicate the member is towards the bottom of the committee hierarchy. The fourth and fifth columns provide this data for task force vice chairs, where applicable. | | | | |

From the 1960s through the 1980s, DSG challenged the biases in committee policy leadership by providing their leaders and allies with access to coalition building experience, including access to policy information and political intelligence (Hall and Deardorff 2006), and a

whip system to inform members and build and coordinate support for policy initiatives. In the textbook Congress, the Democratic whip system was employed only sporadically by party leaders (Evans 2011b). In contrast, DSG's whip system was especially active during this period.⁴² A significant portion of these legislative coalition building activities occurred through the DSG's task force system. Task force leaders were specifically selected to challenge biases in the House committee system in the 1960s and 1970s. If task force membership provided opportunities for liberals to become knowledgeable on issues *outside* of their committee assignment, leadership positions provided an opportunity for members ranked low on their committee seniority to pursue policies *within* the bounds of their committee assignment.

Table 5.2 analyzes the leadership of DSG task forces for the 87th, and 88th-91st Congresses relative to their committee service. In each Congress, the majority of task force chairs served on the committee of jurisdiction – of the 28 task forces analyzed, only 7 or 25% did not serve on the relevant committee.⁴³ And in two of these cases (in the 91st Congress – the only year for which these records exist), the task force vice chair did serve on the committee of jurisdiction even if the chair did not. These members also disproportionately ranked either low or at mid-level seniority on the committee hierarchy. In each of the five congresses represented in Table 5.2, many chairs ranked at the absolute bottom of their committee hierarchies, such as freshman representative James Scheuer (D-NY) who headed the Full Employment Task Force in the 89th and ranked 20 of 21 on Education & Labor, or Rep. Sidney Yates (D-IL) who headed the Appropriations Task Force in the 90th and ranked 28 of 30 on Appropriations. In the 91st

⁴² The archival record is filled with letters from committee and subcommittee chairs, and junior members, alike requesting that DSG conduct a “whip check” on a bill important to that member. For example, a Foley staffer sent a memo to executive director Conlon requesting that DSG run a whip check on H.J. Res 934 “in order that we may have a sufficient basis to persuade the Speaker to allow this measure to appear on the next Suspension Calendar of the House” (DSG papers, Part I, box 53, folder 6).

⁴³ And of course, even if the task force chair did not serve on the committee of jurisdiction, these junior members still received leadership experience that they were denied by the formal structures of the House.

Congress, future Agriculture Committee (and DSG) Chairman and Speaker of the House Thomas Foley (D-WA) headed the DSG Agriculture task force. At the time, he ranked 8th (of 19) on the committee hierarchy. And even among the mid-level and higher-ranking members, only 3 concurrently served as a subcommittee chair during their tenure as task force chair (and none chaired the relevant full committee).

The evidence in Table 5.2 is not surprising given DSG's long-standing emphasis on providing leadership opportunities for junior members. DSG was not governed by the same seniority rules and norms as the formal structures of the House, and the group even explicitly identified the expansion of policy leadership opportunities in the establishment of task forces. In a 1969 press release announcing a slate of task forces, chairman Donald Fraser said that one of the goals of the task forces was to "give younger Congressmen an opportunity to play a more active role in the development of Democratic issues and policies"⁴⁴ Fraser, a 3-term member himself, personally appreciated the role of the task forces in providing policy leadership experience. As a first-term member in 1965, Fraser headed the Foreign Affairs task force – a position which coincided with his membership on the Foreign Affairs Committee, where he ranked 18th in seniority (of 24). During this period, there was no other site within Congress where a first or second term member could assume a policy leadership role.

D.C. Home Rule. The 1965 DSG-led effort to force a floor vote on legislation establishing home rule for Washington, D.C. is a striking example of how DSG's task forces challenged biases in committee leadership. According to dominant theories of agenda-setting (Cox and McCubbins 2005) and coalition building (Arnold 1990; Evans 2004; Wawro 2001), DSG should not have been successful at forcing legislation out of the District Committee, or at achieving a floor vote on the controversial issue of home rule for D.C. And while DSG was

⁴⁴ January 14, 1969 Press Release, Donald Fraser. DSG papers, Part II, box 3, folder 11.

unsuccessful at establishing home rule in 1965, their efforts were part of a successful, longer term “softening” strategy by which the House became acclimated to a restructuring of the relationship between Congress and Washington, D.C. (Kingdon 1995).

Rep. Carlton Sickles, a two-term member from Maryland, was chair of the DSG task force on home rule. He served on the District of Columbia committee (as Table 5.2 indicates, ranking near the bottom of committee seniority), where home rule had long been stymied by the leadership of Rep. John McMillan (D-SC). McMillan, like many southern conservatives, including fellow committee member and Rules chairman Howard J. Smith (D-VA), was staunchly opposed to any legislation establishing home rule. The archival record and interviews with members and congressional staffers reveal that McMillan was one of the most autocratic conservative chairs in the House during this period (liberals would later unsuccessfully attempt to depose him in 1971). As a junior member on the District committee, Sickles had no power to decide the committee agenda.

D.C. home rule was one of DSG’s earliest policy goals. In 1962, DSG helped to spearhead a discharge petition to “bring the question of Home Rule for the District of Columbia to the floor of the House.” The Senate had passed home rule legislation several times, but the House had not because of committee opposition. The bill (and discharge effort) was sponsored by Executive Committee member Abraham Multer (D-NY), and DSG circulated a Dear Colleague letter to encourage members to sign the petition as soon as it reached the clerk’s desk as “the sponsors will need a lot of signatures in a hurry to help generate enthusiasm for their Home Rule cause.”⁴⁵ Though it garnered over 200 signatures, it fell short of the 218 necessary and the discharge effort failed (CQ, 1839-1840).⁴⁶ Three years later (and after a landslide

⁴⁵ June 27, 1962 Dear DSG Colleague letter, signed by Reps. Frank Thompson, Cohelan, Abraham Multer, Henry Reuss, Edith Green, Henry Gonzalez, and William Fitz Ryan. DSG papers, Part II, box 151 folder 6.

⁴⁶ Signatories to discharge petitions were not publicly released by Congress (as part of a rules change) until 1993, but sometimes a member supportive of the effort would strategically release the list to the press to

Democratic election), Multer again introduced home rule legislation and DSG chairman Frank Thompson (D-NJ) appointed a task force on Home Rule. In announcing the task force, Thompson said that not only was home rule one of the most important issues to come before the Congress, it was “pledged by our Democratic Platform and strongly recommended by President Johnson.”⁴⁷

Multer’s legislation calling for D.C. Home Rule, H.R. 4644, was introduced at the beginning of the 1965 session (and subsequently referred to the District Committee). By the summer (and after the Senate approved similar legislation on July 22nd), liberals concluded that “agreement to bring the bill to the floor through normal procedures is impossible.” The discharge petition was not the first choice of action for liberals, but their experiences in the 87th Congress prepared them for the necessity of employing the procedure. Moreover, with the 1966 midterm election looming – an election that would ultimately prove disastrous for liberals – DSG was concerned with passing the bill with enough time to ensure D.C. voting rights in the election. A September 23, 1965 memo from DSG Chair Thompson and Task Force Chair Sickles to DSG members outlined the decision to pursue the discharge petition:

“From the beginning of our current efforts to obtain favorable action on the Home Rule bill, it has been our objective to draft the best possible bipartisan measure that could pass the House this year. This has involved some six months of continuous effort, first in

pressure other members to sign on. For example, signatories to the discharge petition on the 1963 Civil Rights Act (which would become the 1964 Civil Rights Act), were released to the press to pressure Republican members to sign on to the bill. The 1960 Republican Party Platform supported civil rights legislation, and many supporters of the bill believed that the moderate and liberal Republicans who were reticent to sign-on would do so if the list were made public. And indeed, once Democratic Rules Committee chairman Howard Smith (VA) realized the discharge effort would be successful, he reported a rule on the bill. It is important to note however, that opposition to signing a discharge petition does not necessarily indicate a member’s opposition to the underlying bill, but rather the discharge procedure. Many members are opposed to usurping committee jurisdiction, and believe the discharge procedure harms committee autonomy.

⁴⁷ March 30, 1965 memo from Thompson to undisclosed list of members re DSG Steering Committee on Home Rule for the District of Columbia. DSG papers, box 151, folder 6.

attempting to obtain hearings in the D.C. Committee on a bipartisan bill. When this failed, we had no choice but to resort to the difficult Discharge Petition route.”⁴⁸ Discharge petitions are extraordinarily difficult to execute successfully, and historically, few petitions have been successful (Schickler and Pearson 2009). Many members of the Home Rule Task Force personally remembered the two prior failed efforts to discharge legislation establishing self-government for D.C. Nevertheless, on August 11th, Multer filed a discharge petition to bring H.R. 4644 to the floor, and on September 3rd, 1965, the discharge petition on Rep. Multer’s bill establishing home rule for D.C. received its 218th signatures. Though most newspaper coverage at the time attributed this success to President Johnson’s support for the bill (CQ Almanac 1965), the success of the discharge petition reflects months of task force meetings, parliamentary study, negotiations with the leadership and Republicans by the bill’s chief sponsors, Reps. Multer and Sickles, to amend the bill to make it more acceptable to a majority of the House, and numerous Dear Colleague letters and personal member-to-member lobbying. Johnson’s support for the bill was important, but it was merely one facet of the extensive coalition building efforts in the House. And indeed, an examination of the signatories to the discharge petition reads like a DSG membership list, save the small group of Republican members who provided the support necessary to reach the required 218 signatures (CQ Almanac 1965, 613-20).

In response to the success of the discharge petition mobilization effort, McMillian’s District Committee attempted to cut-off support for the bill by reporting a modified “home rule” bill (H.R. 10115) substantially different from Multer’s Administration-backed bill on September 3rd. The bill – a combination of two bills sponsored by Reps. Sisk and Joel T. Broyhill’s (R-VA) – retained the federal government’s jurisdiction over the old Federal City (as it existed from 1791

⁴⁸ September 23, 1965 memo from Thompson and Sickles to DSG members re New Bipartisan DC Home Rule Bill Introduced – House Floor Action, Monday September 27th. DSG papers, Part II, box 151, folder 6.

to 1871), and gave the remaining area, including the majority of D.C.'s inhabitants, back to Maryland. Under the Committee-backed bill, home rule would only be offered to these "new" D.C. residents if Maryland refused to accept the new area. The bill also changed the automatic, annual federal payment schedule in Multer's Administration-backed bill, which McMillian and others criticized as "unconstitutional." Concerned these criticisms might prove a death knell, Multer and Sickles modified the payment schedule.⁴⁹

On September 29th, the House finally considered home rule legislation. The parliamentary situation required that the Committee substitute be defeated first, but after months of lobbying on both sides, the Committee substitute passed 283-117. The Committee bill complicated the careful DSG-led coalition, and 15 of the last 26 discharge petition signers – apparently upset with the Johnson Administration – ultimately voted for the Committee substitute in protest. Approval of the Committee bill foreclosed the passage of D.C. home rule in the 89th Congress. The House was not going to pass the Senate bill, the Senate was not going to pass the House bill, and conference negotiators were faced with the impossible task of attempting to reconcile the two sharply divergent bills.

The successful discharge petition and floor vote of this key policy issue served as a significant challenge to committee biases in the textbook Congress. DSG's efforts sent a signal to committee chairs and the leadership, that junior liberals could force consideration of important, but potentially divisive and controversial, policy issues. And while Multer's bill did not pass the House, DSG's legislative campaign brought the cause of home rule for D.C. furthered than it had

⁴⁹ Among these changes, Multer and Sickles amended the bill to provide for annual, rather than automatic congressional appropriations to the District, providing for a 4-year term for the proposed DC mayor and council members to be held in even, non-presidential years (meeting objections to possible Hatch Act encroachments), and giving the President the authority to call our federal troops or to take over the local police force when he deems it necessary to protect federal interest or to preserve order. These changes were intended to "meet the objections raised by the Republican Policy Committee [the Republican Conference's policy arm] statement adopted on Tuesday and eliminate the basic objections raised by other Members." DSG papers, Part II, box 151, folder 6.

ever been before. The floor debate and on-the-record vote for home rule provided symbolic representation of D.C. interests in Congress – arguably impossible without the careful work of the task force. More significantly, DSG’s campaign for home rule and their careful negotiations between key constituencies in the House laid the groundwork for a significant restructuring of Congress’s relationship to Washington, D.C. (see below).

According to dominant congressional theories of agenda-setting and coalition building (Cox and McCubbins 1993, 2005; Evans 2004), neither Sickles nor Multer should have been able to force a vote on this issue, nor should they have assumed coalition leader roles in the 1965 home rule effort. Neither held formal positions of power in the House and they were not provided any formal resources or tools from the House to advance the legislation. Seniority rules and norms limited their capacity to assume policy leadership roles through their committee work; rather, it was their affiliation with DSG, which provided them with the institutional apparatus and the support to pursue their policy goals. And while Sickles and Multer would retire from the House to run for governor of Maryland and serve on the New York Supreme Court in New York, respectively, another member (and later chair) of the Home Rule Task Force – Rep. Charlie Diggs (D-MI) – would use his experiences to pass home rule legislation when he became chairman of the District Committee 8 years later.

On December 24, 1973, President Richard Nixon signed the District of Columbia Self-Government and Governmental Reorganization Act, after its passage by the House. The bill was the result of over a decade of activism designed to acclimate members to a restructuring of the relationship between Congress and the District (Kingdon 2011). D.C. home rule activists such as Walter Fauntroy worked tirelessly to keep the issue of self-government alive outside of Congress for many years, even leading the effort to mobilize the black vote in McMillian’s South Carolina district in a successful bid to defeat him in the Democratic primary. But inside the halls of the Capitol, it was DSG that provided liberal supporters of D.C. home rule that institutional support

necessary to keep the issue on the agenda year after year. And there is no doubt that the lessons learned through the failed 1965 home rule effort strengthened Diggs's leadership over home rule legislation. The success of the 1973 bill reflected Chairman Diggs's procedural knowledge, experience negotiating between conservative and liberal Democrats, Democrats and Republicans, and perhaps most critically, the House and Senate – all of which ensured that he could successfully craft a bill that would be acceptable and stable.

If the 1965 legislation failed because the House would not approve the Senate-passed bill (and members were provided with an acceptable moderate alternative to the too-liberal Multer bill), Diggs' strategy was to craft a compromise bill acceptable to a large majority. In an effort to temper conservative opposition within the Democratic Caucus, Diggs and DSG strategically kept the issue out of the Steering & Policy Committee to avoid a split vote between liberals and conservatives.⁵⁰ In an interview with National Public Radio, Nelson Rimensnyder, an aide to Diggs at the time, said that "Whip counts were done, and the [liberal] Senate version was not going to pass. Diggs and other Democrats worried that if it went down, it wouldn't bode well for getting anything through that Congress" (Austermuhle 2013). Thus, rather than attempt to pass the liberal Senate bill, Diggs crafted a moderate compromise. The bill contained the basic outline of Multer and Sickle's bill – an elected mayor and city council with a 4-year term – but thorny issues like congressional review of District appropriations were retained to attract the moderate and conservative support necessary for its passage. Diggs and other coalition leaders succeeded, and the modified form of self-government for D.C. not only passed the House, but the system they established – however imperfect – has stood the test of time.⁵¹

⁵⁰ October 2, 1973 meeting minutes, DSG papers, Part I, box 6, folder 8.

⁵¹ Despite debates in the courts today about the legislative intent of the 1973 Home Rule legislation and how much autonomy D.C. should have to govern itself, the coalition crafted by Diggs and DSG was clearly never intended to provide the type of self-government sought today (despite their personal desire to provide the District with complete autonomy from Congress). In an October 8th, 1973, Dear Colleague letter distributed to Members, DSG stressed the bill's "numerous protections of the federal interest – such as

The institutional support provided by DSG to junior Democrats like Reps. Multer, Sickles, and Diggs, empowered them to not only represent critical under-represented and suppressed policy issues, but to become stronger coalition leaders in the future.

Institutional Cachet and Prestige

Lastly, DSG increased their members' competitiveness for leadership positions by imbuing their members of the Executive Committee with almost instantaneous institutional prestige in the House. Most members of Congress develop a reputation over time – some are known for their expertise in a particular policy area, others are known for their brash personality, political savvy, or shrewd negotiating skills, and others are known for being procedural experts (Fenno 1976; Sinclair 1995). Reputation is especially critical in legislative institutions because the perception of a member's power is often quite different than the formal institutional power ascribed to them (Battista 2011).

DSG leadership experience signaled to other members and party leaders that a member had a distinct set of policy, procedural, and political skills, as well as a network of supporters behind them. Service on DSG's leadership immediately elevated junior members' standing in Congress. As former DSG executive director Scott Lilly summed up, “...being a permanent person in DSG really added to the sense that you were a person to be reckoned with in the House. The organization was powerful. Its members stuck together, and if you were part of that crew, people didn't wanna mess with you.”⁵² Moreover, their leaders had a reputation for pragmatism, which stood in contrast to other groups such as the Congressional Black Caucus, for example,

OMB and congressional appropriations control over the federal payment, prohibitions on local interference with the courts, and *reservations of the right of Congress to legislate for the District at any time on any subject*” (emphasis added,

October 8th, 1973 Dear Colleague letter. DSG papers, Part I, box 45, folder 3).

⁵² October 28, 2015 telephone interview.

which was regarded as too activist and ideologically-driven by many liberal Democrats.⁵³ In the 1980s and 1990s, this was a considerable edge in leadership races for Democrats in a party that still had significant internal divisions.

DSG leaders remained consistently junior throughout their tenure in the House, but their seniority did not hinder their ability to secure meetings with party and committee leaders, and other notable political figures. By the 1980s, the Executive Committee was routinely briefed by committee chairs on the content of legislation and (potential) issues that might arise. The participation of chairs with historically fraught relationships with DSG, including Reps. John Dingell (D-MI) and Dan Rostenkowski (D-IL), suggest that conservative, moderate and liberal chairs alike knew they needed liberal vote support.⁵⁴ These powerful chairmen did not personally brief every junior Democrat on legislation before their committee. The reputation of DSG as the organization and voice of liberals in the House gave the junior members of the Executive

⁵³ In an August 6, 2015 interview, a former DSG staffer recounted the divisions between DSG and the CBC. This staffer noted how many in DSG were critical of the CBC's efforts to put together a budget, remarking that "They didn't have to deal with how you were going to pay for it." The staffer went on to say that there was not much staff cooperation, "but we always dealt with them on their budget and wrote it up. You can't vote against it, but he [executive director Conlon] thought it was naïve and not serious. All along, neither side wanted to alienate each other, but the CBC in some sense replaced the leadership as kind of the other power center that DSG needed to watch....a wariness that they are not coming from the same place, different constituencies and different priorities." This staffer's remarks are supported by the archival record, which includes numerous letters and press clippings documenting several CBC's members' critiques of DSG as not activist or insurgent enough. For example, Shirley Chisholm reflected upon her impressions of DSG: "One unexpected disappointment for me was a group that I expected to embody the best in the House, the "liberal bloc" organization called the Democratic Study Group...The DSG talks a good game, but it lacks conviction. It never seems to get together and do anything" (The Majority Report, Vol. 1, No. 11, pg. 17, DSG papers, Part II, box 122, folder 9). Many CBC members were also wary of DSG's attacks on the seniority system, which over time, stood to protect the committee leadership of African-American members. In February (22) 1994, for example, Rep. William L. Clay of Missouri circulated a memo criticizing "the cavalier manner" in which some younger black members, including Cynthia McKinney of Georgia and Albert Wynn of Maryland, broke with the seniority system in their committee chair votes, declaring "The willy-nilly excuses offered for promising to support a candidate in violation of the rule of seniority is not in the permanent interest of black legislators or the broader black community" (*CQ Almanac* 1994). Nevertheless, by the 1980s, the DSG and the CBC leadership had worked out a relatively symbiotic working relationship with the chair of each organization invited to the executive committee meetings of the other group.

⁵⁴ May 17, 1990 executive committee meeting minutes, Dingell briefed members on the Clean Air Bill; August 17, 1982 meeting minutes, Rostenkowski briefed members on the tax bill. DSG papers, Part II, box 8, folder 8.

Committee access they would not have received otherwise. And over time, as DSG allies and leaders moved into the formal leadership, this network expanded to include party leaders as well. For example, during Rep. Richard Gephardt's (D-MO) tenure as majority leader, he regularly attended DSG meetings – with Speaker Thomas Foley's (D-WA) support – to brief members on policy issues (including health care, the budget, taxation, campaign finance reform, infrastructure programs, and social programs), negotiations with the White House, and key vote counting efforts undertaken by the leadership.⁵⁵ Former DSG chairman Foley also regularly attended Executive Committee meetings during his tenure as majority whip to share leadership intelligence.⁵⁶

DSG's reputation as a serious and effective policy-minded group provided Executive Committee members with access to a variety of individuals, groups and partisans outside of Congress. The archival record documents an expansive network between DSG and experts inside and outside of government, including civil rights groups (e.g. the NAACP, the Leadership Conference on Civil Rights), labor groups (e.g. AFL-CIO), countless political scientists, economics and other scholars from D.C. based think tanks and universities across the country, and representatives of executive agencies (e.g. HEW's Office of Civil Rights, the State Department), among countless others. Democrats outside of Congress also frequently met with DSG leaders, including DNC officials, elected officials from the states, Democratic pollsters, and others invited to speak about the electoral and state/local implications of policy decisions. For example, on September 9th, 1989, then-Governor Bill Clinton met with the Executive Committee

⁵⁵ DSG executive committee meeting minutes, DSG papers, Part II, box 8, folder 8.

⁵⁶ For example, at the February 26, 1981 executive committee meeting, "Foley reports that these [committee funding] resolutions will definitely be defeated because there are not enough votes to win on the Floor. He says that the Leadership will propose putting all of the committee funding resolutions into a package, bring it to the Floor with a closed rule and have some sort of fallback position. He noted then that the major vote will be on the Previous Question on the Rule." Later in the meeting, Rep. Matt McHugh asked Foley "what the Leadership is doing about an alternative tax plan to the Reagan proposal. Foley responded that their strategy right now is to not appear as obstructionists but rather to say that they will work to meet the Administration goals. Foley notes however, that it is nearly impossible to get a Democratic consensus on what an alternative program should be." DSG papers, part II, box 7, folder 6.

to discuss the Education Summit being held later that month at the University of Virginia (and which Clinton was asked to co-chair by President George H.W. Bush). Clinton “discussed substantive issues before the conference and the political dimensions of the meeting and how that affects congressional action. [And] Members gave the governor their views on what the Democratic governors’ strategy should be at the conference and what kind of programs should be seriously considered at the summit and by the Congress.”⁵⁷ During the 103rd Congress, nearly every Executive Committee meeting was attended by at least one key political actor from inside or outside of Congress, including Speaker Foley, Majority Leader Gephardt, President Clinton, then-First Lady Hillary Clinton, Vice-President Al Gore (a former Executive Committee member himself), numerous cabinet secretaries, and others.

Remarkably, this respect and cachet carried over to DSG staffers. Every staffer I interviewed spoke with extreme pride about their association with DSG. One staffer recalled:

“I was a young kid who didn’t know much about Congress. I had a few friends who worked in individual Member offices. When I would say to someone that I worked at DSG, they were like “Wow, you work at DSG?” It was just seen as an incredibly important place, and if you were there, you did – everyone who was there, felt like they had landed in a special opportunity.”⁵⁸

In the late 1970s and 1980s, this institutional reputation would provide a kind of power for staffers in the House. A longtime DSG staffer recalled how it was always in the interests of other offices in Congress to “be cooperative and to be helpful [to DSG]. People always called you back. They always had time for you. It was like magic to call and say you were from the DSG.”⁵⁹ This prestige was undoubtedly reflected upon DSG leaders.

Health Care Policy. DSG’s Health Care Task Force in 1989 illustrates how the institutional respect and cachet cultivated by organized factions in Congress can shape and alter leadership recruitment patterns. The reforms of the 1970s centralized party leadership and

⁵⁷ Executive committee meeting minutes, DSG papers, part II, box 8, folder 7.

⁵⁸ November 5, 2015 interview with a former DSG staffer.

⁵⁹ September 21, 2015 interview with a former DSG staffer.

increased the number of leadership positions available to junior members (Rohde 1991). In part, these developments led to the proliferation of leadership task forces to supplant committee action – the site of many junior members’ new leadership positions (Loomis 1984). As a result of these developments, the function and organization of DSG’s task force system changed too – there were fewer of them, and they had a longer-term focus. In February 1989, DSG Chairman Martin Olav Sabo (D-MN) appointed task forces on Health and Family Income, which was intended to “enable DSG Members to take a longer-term look at where Democrats should be headed on these issues.” In contrast to the 1960s and 1970s task forces, leadership opportunities for “younger members” was not an explicit part of the formation of these task forces. Rep. Marcy Kaptur (D-OH) was selected to head the Health Task Force, which was intended to have a serious policy focus. In a letter inviting the Commissioner of the Bureau of Labor Statistics to speak to the task force about the demographics of the uninsured, DSG executive director Scott Lilly described the purpose of the group:

“Unlike most other “task forces” on the hill, the primary objective of this group is not to come up with a list of legislative options to be acted on in this Congress. Rather, we hope to develop a deeper and broader understanding of exactly what problems we face, what is already known about these problems, and what additional information will be required to fashion realistic long-term solutions.”⁶⁰

Despite the fact that this period oversaw an explosion of task forces on Capitol Hill – and health care would soon come to dominate Washington, D.C. – DSG’s efforts on health care pre-dated those of Republicans and the leadership alike.⁶¹ While DSG’s Health Care Task Force was

⁶⁰ March 23, 1989 letter from Scott Lilly to Janet Norwood. DSG papers, Part II, box 36, folder 9.

⁶¹ Two years later, a major DSG Special Report on Health Care in the U.S. would still place DSG at the forefront of Democratic efforts on health care policy. One former DSG staffer interviewed recalled working on this effort: “In 1991, I did a *Special Report*. As I remember, it was about 40 pages long. It wasn’t time sensitive so I worked on it on and off for like 6 months. It was about health care reform, and it compared our health care system to other countries. It was right before Bill and Hillary started talking about health care reform, and it was right before Hillary unveiled her proposal. You know, health care and universal access was always something the Democratic Party talked about. We focused on the problem of spending higher but not getting better life expectancy. You know, I studied Germany...but that’s something we had the luxury of doing. We had such a big staff....DSG was in a way, a little tiny Democratic think tank....we had enough staff that I could take six months” to research a given topic (September 21, 2015 Interview).

organized at the start of 1989, Republicans did not organize until 5 months later. Shortly thereafter, the Democratic leadership finally organized their own health care task force. In November 1989, DSG Chair Sabo wrote a letter to then-Rep. Ben Cardin (D-MD) (a member of DSG's Health Care Task Force) announcing the merger of the DSG and leadership task forces:

“Since [the DSG creation of a task force on health care] that time the House Democratic Caucus has organized a series of task forces including one on health care. I could see little purpose in House Democrats organizing into two separate task forces focusing on the same general issue area and asked Caucus Chair Steny Hoyer [(D-MD)] if we might combine efforts. We have agreed that the number of co-chairs on the Caucus task force be expanded to four to include the chair [Marcy Kaptur] of our task force, and that the size of the task force be increased so as to include you and other members of the DSG task force who have been active participants.”

Sabo was able to secure not only a leadership position for Kaptur in the Caucus task force but also positions for all active members of the DSG task force, including himself and Rep. Nancy Pelosi (D-CA) who would go on to lead Democratic efforts for health care legislation as Speaker in 2009 and 2010. The reaction of the leadership reflects the significance of DSG's early action on health care, Hoyer's own 6 years of service on the Executive Committee, and the group's reputation and legitimacy.⁶² DSG activities were not superficial attempts to gain media exposure or embarrass the leadership – a serious policy focus underscored everything they did.

The experiences of the Health Care Task Force's members illuminate how factions like DSG can increase their allies' propensity to be recruited by party leaders for key positions. Party leaders have a strong incentive to limit their recruitment of partisans representing potentially divisive ideas (Cox and McCubbins 1993, 2005). While there was no Democratic consensus on health care reform in 1989, the DSG Task Force was likely to endorse a more liberal proposal

⁶² DSG strategically aimed to organize its task forces as early in the first session of a new Congress as possible. For example, in a February 24, 1983 Executive Committee meeting, Rep. McHugh “stated that it is important to establish task forces early so that we can have some impact on a particular subject. He noted the problem we had last year on the tax bill because the task force effort came too late to be effective” (Meeting Minutes, DSG papers, Part II, box 7, folder 8).

than would ultimately be favored by the Caucus or the leadership.⁶³ Nevertheless, DSG's reputation in the Caucus empowered their leaders to leverage their positions in DSG to positions within the formal party leadership structure. For junior and mid-level seniority members who have yet to make a name for themselves through the normal legislative process – an increasingly high hurdle given the decline of committee efficacy and power (Sinclair 2011) – alliances with strong party factions can instantly provide members with institutional credibility and a reputation of effective leadership. DSG provided this reputation for ambitious junior liberal Democrats.

The Case of Rep. James Scheuer

The leadership training and opportunities provided by DSG are analyzed separately above for clarity. But most members took advantage of DSG's range of services and activities to simultaneously cultivate policy and legislative experience, foster relationships, build support for their own legislative proposals, and develop a respectable reputation within the House. The skills, resources, and connections fostered by these experiences are self-reinforcing. Rep. James Scheuer's (D-NY) experiences as a freshman member in the 89th Congress (1965-1966) succinctly illustrates the role DSG played in providing an alternative leadership pipeline for ambitious members limited by the committee system and their seniority status.⁶⁴ Scheuer was a member of the Education & Labor Committee – an assignment that reflected his years of working as an economist at the U.S. Foreign Economic Administration and the Office of Price Stabilization. Yet his seniority ranked him 20 of 21 members, which gave him little opportunity

⁶³ DSG had gone on record in support of national health insurance as early as 1975.

⁶⁴ Scheuer's experiences provided a stronger test of the role of DSG's alternative pipeline because not only was he – as a freshman – at the absolute bottom of the seniority hierarchy in the House, but he did *not* serve on the Executive Committee (many of the benefits of DSG's services and activities were conferred exclusively on Executive Committee members).

to develop and pursue his own policy proposals. DSG enabled him to overcome his seniority status and capitalize on his interest and experience in labor policy.

Scheuer joined DSG upon his election to the House in 1964, and immediately began lobbying the Executive Committee to create a task force of “freshman members only” to study chronic unemployment and to “develop a legislative program to prevent unemployment, and [that] produces the Great Society.”⁶⁵ Chairman Frank Thompson (D-NJ) approved Scheuer’s request in August 1965, and appointed a Full Employment Steering Committee responsible for working towards its stated goal of “a full employment economy.”⁶⁶ Scheuer was appointed chairman, and his membership request was granted; the committee was composed solely of freshman members who served on legislative committees with jurisdiction over job creation and labor policies. And indeed, it functioned as a pseudo legislative committee. Scheuer and colleagues formed a series of subcommittees to foster member participation, called upon experts to inform committee members, and drafted a report about the sources of chronic, long-term employment and potential legislative approaches. The Full Employment Steering Committee’s efforts culminated in the release of a report and a proposed legislative program, the Career Opportunity Act, in January 1966.

The leadership opportunities provided to Scheuer through DSG are unimaginable for many members, but especially those with just a year of service under their belt. In January alone, Scheuer presided over a press conference announcing the report and the accompanying legislation

⁶⁵ June 21, 1965 memo from Rep. Scheuer to the DSG Executive Committee. DSG papers, Part II, box 148, folder 11. Scheuer initially suggested that any report developed by the Steering Committee might be turned over to a committee of “senior DSG members who would develop and guide the necessary legislative program and Administrative liaison.”

⁶⁶ August 30, 1965 memo from DSG chairman Thompson to undisclosed list of members re the appointment of DSG Full Employment Steering Committee. DSG papers, Part II, box 148, folder 11. Thompson also served on the Education and Labor Committee, and chaired the Special Labor subcommittee (Scheuer served as a member as well).

(on the 6th), personally briefed Vice President Hubert Humphrey on the report (on the 5th), and his leadership of the Committee was specifically noted by a *Washington Post* editorial endorsing the legislative proposal (on the 8th).⁶⁷ Soon thereafter, he introduced the Career Opportunity Act, H.R. 13159, which provided for a \$1,360,000,000 program “to provide employment opportunities for unemployed, low-income persons in sub-professional service careers.” Scheuer’s bill was not enacted, but he succeeded in adding a “Subprofessional Employment” amendment to another bill, the Economic Opportunity Act Amendments of 1966. His amendment authorized a new program to prepare “unemployed or low income persons” to enter career jobs in public service, including education, welfare, health, and public safety, as nonprofessional personnel. The program provided training to foster career advancement among these groups, as well as respond to the country’s growing need for more workers in certain fields. Congress initially authorized \$33 million for what was called the “Scheuer Program” (*CQ Almanac 1966*), but was later known as the “New Careers Program” (Lind, Rankin and Harris 2016; Armour 2002). It provided education and training for thousands of individuals, and significantly increased the representation of low-income and minorities in several professions, particularly in health care and social work (Gartner 1971).

Scheuer’s experiences in the 89th Congress are remarkable – more akin to the experiences of a senator than a new member of the House. As a freshman, he should not have been able to

⁶⁷ At the press conference, Scheuer gave an overview of the history of the Committee, including its motivation and goals; explained where and how new jobs should be formed (and paid for); highlighted how unemployment disproportionately impacts African-Americans and young people, and civil rights implications of the “full employment campaign”; and outlined the Career Opportunity Act (H.R. 13159) (Scheuer Remarks at Press Conference, DSG Papers, Part II, box 148, folder 12). Scheuer and other members of the Full Employment Steering Committee met with Vice President Humphrey at 10am on January 5, 1966 in the Executive Office Building (January 4, 1966 memo from Scheuer to DSG members re Presentation of Committee Report to Vice President Humphrey). A January 8th, 1966 *Washington Post* editorial, “Training for Stability” (pg. E6), outlined DSG’s report and the group’s proposed “public employment training” program, which would provide long-term unemployed individuals with training “in the fields of health, education, and urban improvement.” The editorial specifically noted Scheuer’s “able chairmanship” of the Committee which produced the report. DSG papers, Part II, box 148, folder 11.

gain a leadership position, secure notable press attention or a personal meeting with the Administration – let alone the adoption of an amendment creating a significant program in his own name. DSG helped him garner widespread respect for his policy expertise and legislative proposals, and gave him a platform to foster relationships and cultivate support with key actors, including the Johnson Administration which added his legislative proposal to their own package of proposed amendments to the Economic Opportunity Act (Nixon 1970). While Scheuer was an ambitious, strategic member who likely would have had a successful legislative career regardless, DSG provided the institutional and organizational structure necessary for Scheuer to become a leader in Congress almost immediately after his election in 1964. This was critical timing for a reformer like Scheuer – he was able to capitalize on a Democratic Administration (lost in 1968) and large majorities in the House (decimated in 1966) to ensure the adoption of legislation important to him and his constituents. Absent DSG, it is highly unlikely that a freshman member like Scheuer would have been able to achieve similar success so quickly in the textbook Congress.

PART II: Evaluating the Liberal Democratic Leadership Pathway

Leadership change is a critical facet of broader processes of institutional change. And liberal Democrats were keenly aware of the need to improve their descriptive representation in formal leadership sites if they wanted to shape Democratic policy outcomes. The archival record and interviews with former congressional staffers and members of Congress reveal that DSG simultaneously prioritized expanding access to leadership positions in the House through formal rules changes, and training their leaders to be competitive for them.⁶⁸ This section examines the

⁶⁸ The archival record often explicitly documents DSG's strategic efforts to transition executive committee members to formal leadership posts. For example, in a September 1979 memo, DSG staff analyzed the impact of Rep. Dave Obey's (D-WI) leadership ambitions for DSG: "An Obey candidacy [for Caucus

“outcome” of these efforts. In the contemporary House, liberal Democrats monopolize committee and party leadership positions (Harris and Nelson 2008; Becker and Moscardelli 2008). Prior research has examined the significant influence of formal rules and ideological changes in the Democratic Caucus on the leadership ambitions of junior, liberal Democrats. I evaluate a third mechanism of leadership change: empowering DSG’s strongest liberal members to be competitive for appointed and elected leadership positions in the House.

DSG’s emphasis on leadership training for their members motivates several expectations about the competitiveness of DSG allies and representatives for formal leadership positions. If Executive Committee members gained leadership experience denied to the average Democrat, then members with prior DSG leadership experience should be more competitive for formal leadership positions in the House.⁶⁹ If DSG leadership experience is significant, we would expect to see these effects in formal leadership positions that map on to the opportunities, services, and activities of the Executive Committee. For example, DSG provided their leaders with coalition building experience, including whip experience – activities that closely align with the responsibilities of members of the Democratic whip system.

In order to assess the relationship between DSG Executive Committee service and the assumption of formal leadership power in the House, I examine several sites of appointed and elected party and committee leadership. I first examine participation in the Democratic whip

chairman] is important to DSG. It would enhance the position of DSG chairman in the same way that Burton and Foley did by running for the Caucus. Also, a friendly Caucus chairman is essential if DSG is to maintain its central role in the reform movement” (September 7, 1979 memo from Dan to Richard Conlon re Caucus Chairmanship, 97th Congress. DSG papers, Part II, box 133, folder 5. The memo was crafted in response to Rep. Obey’s desire to run for Budget chairmanship, while DSG preferred he run for Caucus chairman.).

⁶⁹ It is important to note that the archival record provides one reason why we may not observe any significant effects of DSG leadership experience (at least in terms of party leadership positions). Many members saw the DSG Executive Committee as a leadership platform in its own right, and not as a step on the ladder to higher, or formal institutional, office. These members would have been less likely to seek out new leadership opportunities, or to run for elected posts in the party. Indeed, several DSG chairs ran for the Senate while serving as chair, including Lee Metcalf (D-MT), John Culver (D-IA), and Mike Lowry (D-WA).

team, which simultaneously serves as an information distribution network and a leadership tool for member vote counting and persuasion (Meineke 2016). This leadership site is appointed by top party leaders, as well as elected by the broader base of party members, and capitalizes on the type of member expertise and experience that DSG helped cultivate among their ambitious allies and representatives.

I then examine committee leadership positions, including committee and subcommittee chairs. Chairmanships were highly valued by DSG leaders and were key targets of reforms to expand access to junior members. And, like the party leadership sites introduced above, committee and subcommittee chairmanships are House positions that leverage experience liberals would have gained through DSG. As seniority still governs the selection of the majority of full committee chair positions – and effects of DSG leadership experience may not be discernible in a statistical model – I also examine committee seniority violations. Committee seniority violations occur when the Democratic Steering and Policy (S&P) Committee nominates an individual other than the most senior member of any given legislative committee for the chairmanship, or when the Democratic Caucus votes down the S&P-nominated, most senior committee member. Committee leadership positions are appointed by S&P, but elected by the Caucus.

And finally, I examine the top Democratic Caucus leadership positions, including the elected Speaker, Majority Leader, Majority Whip, Caucus Chair, and Caucus Secretary/Vice Chair, and the appointed (by the whip in consultation with the Speaker and Majority Leader) Chief Deputy Whip, Whip Task Force Chairmen, and Assistant to the Minority Leader (in the 1990s, post-majority party era). Similar to committee chair posts, these party leadership positions were key targets of reforms in the 1960s, 1970s, and 1980s, and were highly valued positions sought by DSG leaders.

Collectively, the process outlined in Part I suggest that DSG leaders should be more successful at achieving formal committee and party leadership positions than the average

Democrat without access to the same leadership experience. As DSG strategically targeted some formal leadership positions more than others, I do not expect DSG leaders to be more competitive than the average Democrat equally across all leadership sites. But the strategy of leadership change via capacity building as pursued by DSG motivates three primary hypotheses:

H1: DSG Executive Committee members are more likely to be appointed to the Democratic whip

system and campaign committee than other Democrats;

H2: DSG Executive Committee members are more likely to be elected to and/or be appointed to committee and subcommittee chair positions than other Democrats; and

H3: DSG Executive Committee members are more likely to be elected to serve as Democratic Caucus leaders than other Democrats.

Data & Methods. Evaluation of the hypotheses outlined above require a mixed-method approach. The complexities through which new leaders emerge in Congress, and the vast array of appointed and elected positions in the House and the Democratic Caucus, necessitate the use of multiple sources of evidence and analytical methodologies. To the extent possible, I employed both quantitative and qualitative evidence, as well as statistical and historical process tracing approaches. The collective findings of the statistical analyses, archival records, and interviews increase confidence in the conclusions drawn below.

The primary dependent variables addressed by the hypotheses above are dichotomous (coded 1 if the member served as a leader in each leadership site within the House, 0 otherwise). Data on each of the primary dependent variables (Democratic whip system, and committee and subcommittee chairmanships) were collected from CQ Almanac. Party leaders are de facto members of Democratic whip system, but they were removed from these analyses to avoid over-inflating the influence of a small group of members. DSG leader is a dichotomous variable measuring whether the member served on DSG's Executive Committee in a prior Congress (coded 1 if the member served as a DSG leader in a prior Congress, 0 otherwise). I also collected data on a variety of other important factors included in the models as control variables, including

seniority, demographic characteristics, ideology, party unity, legislative entrepreneurship, and district marginality. Seniority (measured in years) and party unity scores (ranging from 0 to 100) for each Democratic member were collected from *CQ Almanac*. I created a measure of legislative entrepreneurship by counting the number of bills introduced by members from Congress.gov (via the Library of Congress). This is an interval variable that is lagged by one Congress. Thus, a member who introduced 5 bills in the 96th Congress will receive a score of 5 for the 97th Congress (all freshmen receive a score of 0 for this variable). *CQ Voting and Elections Collection* provided the data on district marginality (measured as the percent of the majority party vote the member received in their most recent election to the House). Demographic information on individual members (sex and race) was coded based on Congressional Research Service Reports. Ideology was measured using DW-NOMINATE scores from Poole and Rosenthal (2007). See Appendix 3 for a complete list of variables, measurement, and data sources.

Both the party and committee leadership analyses begin in the 94th Congress, which reflects the first application of the formal rules change allowing up or down votes on committee chairs. Committee seniority violations are analyzed from the 94th to the 103rd congresses, and the top party leadership positions are analyzed from the 94th to the 103rd congresses (post-reform era) and from the 104th to the 109th congresses (post-majority party era). Hypotheses 1 and 2 are evaluated using regression analyses. The very small number of top Democratic Caucus leaders and committee seniority violations necessitates employing simple summary statistics to evaluate the third hypothesis. As the primary dependent variables evaluated in hypotheses 1 and 2 are dichotomous, I estimated 4 sets of logistic regression models.

Results. The statistical analyses provide some mixed evidence for the success of DSG leaders in achieving party and committee leadership posts.⁷⁰ In the 1970s, DSG leadership experience in a prior Congress was significantly associated with service as a Democratic, and with assuming subcommittee chairmanships in the late 1980s and early 1990s, but not with assuming full committee chairmanships. The majority of committee seniority violations (5 out of 9) benefited DSG leaders, and another 2 benefitted DSG members. And beginning in the 94th Congress, DSG members and leaders occupied more than 50% and often over 80% of the top leadership posts. DSG leaders held between 30-50% of the top leadership positions from 1985 to 1994, and no less than 50% of the top party leadership positions from 1995 to 2006. Collectively, the results suggest that pathways to formal party leadership positions vary depending on the type of position. If factions want to successfully expand leadership pathways, they must pursue multiple, different strategies that align with the unique dynamics shaping each type of leadership position. The findings ultimately suggest that DSG Executive Committee service played a pivotal role in enabling leadership development in the reform era, but DSG's efforts to transition leaders into formal leadership positions were most successful in the areas that most closely aligned with Executive Committee service, as well as positions that were the most-frequent targets of formal rules changes. Collectively, the results suggest that leadership training – in combination with formal rules changes expanding access to leadership positions – is the most successful strategy available to factions. Below I will review the results for each type of leadership position addressed in the hypotheses.

⁷⁰ In the interest of brevity and clarity, I do not report all null results in the tables below. As noted in the text below, I estimated logistic regression models for all post-reform era, Democratic majority congresses (the 94th-103rd).

| Table 5.3: Logistic Regression Analysis of Whip System Participation in the House Democratic Caucus, 1987-1994 | | | | |
|--|-------------------------------|-------------------------------|-------------------------------|-------------------------------|
| | 100 th Congress | 101 st Congress | 102 nd Congress | 103 rd Congress |
| <i>DSG Leader</i> | 1.0481** (.3687) | 1.022** (.3770) | 1.322*** (.3652) | 1.011** (.3610) |
| <i>Ideology</i> | -.3576 (.8665) | 1.1760# (.9353) | -1.0383 (.9584) | -1.571 (.9773) |
| <i>Committee Leader</i> | -.2366 (.6137) | -.3335 (.5927) | .4570 (.5693) | -.1979 (.6368) |
| <i>Subcommittee Leader</i> | .4142* (.3168) | .9266** (.3130) | .9559** (.3256) | .7773* (.3527) |
| <i>Seniority</i> | -.0416# (.0226) | -.0626# (.0243) | -.0664** (.0237) | -.0114 (.0187) |
| <i>Woman</i> | -.0025 (.6295) | .0198 (.5229) | .2031 (.4794) | -.1365 (.4246) |
| <i>Non-White</i> | -.1749 (.4872) | -.8462# (.5003) | -.9694# (.4900) | -.2934 (.3913) |
| <i>Legislative Entrepreneurship</i> | .0034 (.0082) | .0135 (.0110) | .0203# (.0110) | .0223# (.0124) |
| <i>Constant</i> | -.8610 (.3210) | -1.060 (.3422) | -1.069 (.3550) | -1.7723 (.3893) |
| <i>N</i> | 260 | 262 | 269 | 258 |
| <i>% Correctly Classified</i> | 70 | 68 | 70 | 68 |
| #p < .1, *p < .05, **p < .01, ***p < .001 | | | | |
| Numbers in parentheses are standard errors. | | | | |

Democratic Whip System. Table 5.3 presents regression analysis of the differential advancement of Democrats through the party whip system. The Democratic whip system includes a combination of appointed and elected positions. Zone whips are geographically organized, and are elected by a geographic region (or in the case of a large state, such as California or New York, by the full state delegation). Assistant whips are appointed by the whip in consultation with the party leadership. And whips are led by the whip task force chairmen (beginning in the 100th Congress), the chief deputy whip, and the (majority) Democratic whip. The earliest movement of DSG leaders into the formal structures of the House occurred through

the party whip system (see party leadership election and appointment section below). I examined all whip teams beginning in the 94th Congress and found no relationship between DSG leadership experience and participation in the whip system in the 1970s and early 1980s. Under Speaker Jim Wright (D-TX) and Majority Leader Thomas Foley (D-WA) however, DSG leadership experience took on a renewed importance. Wright viewed DSG as a legislative partner (relying on the group to drum up liberal support his legislative agenda, including issues like Iran-Contra), and Foley was especially loyal to DSG through his past service as group chairman. Under Speaker Wright, a DSG-Democrat has a probability of joining the whip team that is about .25 greater than a non-DSG Democrat (holding all other variables at their mean). These differences held when Foley assumed the Speakership in 1989 as well, with a DSG-Democrat having a probability of joining the whip team that is about .32 greater than non-DSG Democrats (holding all other variables at their mean). Ultimately, the results suggest that DSG promoted the advancement of members into whip positions, but only when allies in the leadership were well positioned to help (Peabody 1967). And as DSG leaders took over the Democratic whip system leadership (see below), they were more likely to appoint their liberal allies to positions within the whip system. Thus if DSG challenged committee and whip system biases in the 1960s (Polsby 2004), the group reinforced the growing liberalness of the party leadership in the 1980s and 1990s (Ringe and Victor 2013).

Committee Leadership. Tables 5.4 and 5.5 provides the results for the subcommittee and committee chair analyses for the 94th-103rd congresses. The models reinforce the predominant role of seniority, even in the post-reform era, in deciding committee leadership positions.

Table 5.4: Logistic Regression Analysis of Subcommittee Chair Leadership in the House of Representatives, 1974-1980

| | 94 th Congress | 95 th Congress | 96 th Congress |
|---|------------------------------|------------------------------|------------------------------|
| <i>DSG Leader</i> | 1.2678** (.4805) | .8792# (.4650) | 1.1444* (.4608) |
| <i>Party Unity</i> | -.0151* (.0074) | -.0080 (.0071) | -.0064 (.0073) |
| <i>Seniority</i> | -.0651** (.0202) | .0662** (.0210) | .0645** (.0190) |
| <i>Female</i> | -.9931 (.6905) | -.8335 (.8336) | -.4360 (.6987) |
| <i>African-American</i> | .8966 (.5863) | 1.5771** (.5437) | .2098 (.5637) |
| <i>Legislative Entrepreneurship</i> | .0157** (.0050) | .0081 (.0062) | .0122* (.0050) |
| <i>Constant</i> | -.7925 (.5493) | -.8224 (.4844) | -.8362 (.5224) |
| <i>N</i> | 289 | 287 | 279 |
| <i>Model Chi-square</i> | 53.37 | 38.67 | 49.40 |
| <i>% Correctly Classified</i> | 70.93 | 69.34 | 67.74 |
| #p < .1, *p<.05, **p<.01, ***p<.001 | | | |
| Numbers in parentheses are standard errors. | | | |

| Table 5.5: Logistic Regression Analysis of Committee Chair Leadership in the House of Representatives, 1974-1992 | | | | | | | | | |
|--|---------------------|---------------------|---------------------|---------------------|---------------------|---------------------|----------------------|---------------------|---------------------|
| | 94 th | 95 th | 96 th | 97 th | 98 th | 99 th | 100 th | 101 st | 102 nd |
| | Congress | Congress | Congress | Congress | Congress | Congress | Congress | Congress | Congress |
| <i>DSG Leader</i> | -.4120 (.8469) | .1221 (.6605) | -.3390 (.6818) | .2163 (.7217) | .4619 (.6751) | .4610 (.6250) | .5960 (.6487) | -.1781 (.7710) | -.2579 (.7729) |
| <i>Party Unity</i> | .0120 (.0157) | .0201 (.0162) | .0121 (.0141) | -.0027 (.0216) | -.0128 (.0192) | .0030 (.0211) | .0103 (.0194) | .0155 (.0210) | .0168 (.0213) |
| <i>Seniority</i> | .1795*** (.0297) | .1725*** (.0261) | .2149*** (.0312) | .1753*** (.0293) | .1740*** (.0352) | .1433*** (.0284) | .1487*** (.0288) | .1520*** (.0320) | .1531*** (.0324) |
| <i>Female</i> | 1.0640 (.9554) | -- | -- | -- | -- | -- | -- | -- | -1.8559 (2.5696) |
| <i>African-American</i> | .8772 (1.0440) | 1.8852* (.8475) | .4376 (1.482) | 2.605** | 2.5710** (.7490) | 2.1860** (.6359) | 2.5930*** (.7034) | 1.4350* (.6510) | 1.5476** (.5668) |
| <i>Legislative Entrepreneurship</i> | .0016 (.0045) | .0140** (.0041) | .0102* (.0042) | .0238# (.0126) | .0190# (.0111) | .0110 (.0100) | .0310* (.0126) | .0513*** (.0141) | .0407* (.0159) |
| <i>Constant</i> | -7.2531 (1.4445) | -7.0924 (1.3580) | -6.9050 (1.1060) | -5.465 (1.5290) | -4.6030 (1.2024) | -5.0807 (1.6850) | -6.6115 (1.7525) | -7.2789 (1.8167) | -7.2601 (1.8840) |
| <i>N</i> | 289 | 275 | 268 | 232 | 256 | 242 | 247 | 245 | 267 |
| <i>Model Chi-square</i> | 41.63 | 55 | 59.70 | 45.31 | 37.23 | 37.09 | 43.67 | 35.87 | 32.81 |
| <i>% Correctly Classified</i> | 92.04 | 92.00 | 93.28 | 91.38 | 91.41 | 89.67 | 89.47 | 92.24 | 92.51 |
| #p < .1, *p < .05, **p < .01, ***p < .001 | | | | | | | | | |
| Numbers in parentheses are standard errors. | | | | | | | | | |

DSG leadership is associated with the assumption of subcommittee leadership positions, but only during the 1970s at the height of DSG's organizational development and institutional position; the relationship disappears in later congresses. In the 94th Congress, a DSG-Democrat has a probability of becoming a subcommittee chair that is about .31 greater than a Democrat without this experience (holding all control variables at their mean). The relationship is slightly weaker in subsequent congresses, but still significant. A Democrat with DSG leadership experience in the 95th Congress has a probability of becoming a subcommittee chair that is about .21 great than a Democrat without this experience. And in the 96th Congress, a DSG-Democrat has a probability of becoming a subcommittee chair that is about .27 greater than other Democrats (holding all control variables at their mean). In addition to the strong institutional position of DSG in the 1970s, the magnitude of the relationship observed here also reflects DSG's first-mover advantage. The proliferation of member groups in the House – and the alternative

leadership sites they provided – did not develop in earnest until the 1980s (Hammond 1991). In the 1960s and 1970s, DSG provided leadership training to members that was simply not available elsewhere. In the 1980s and beyond, the proliferation of member groups, and the return of institutional norms that continued to limit subcommittee leadership positions for junior members (Loomis 1984), eliminated the relationship between DSG and subcommittee leadership positions.

I did not identify any systematic evidence that DSG leaders were more likely than other Democrats to become committee chairs (although over 40% went on to lead full committees). Rather, seniority, and to a lesser extent, race and legislative entrepreneurship, play a significant role in committee leadership selection.⁷¹ Even in the post-reform era, seniority remains the most important – if not the sole – determining factor in the selection of full committee chairs. While this may seem surprising considering the weight given to this singular rule change by congressional scholars (Rohde 1991), it reflects two poorly understood aspects of the committee leadership reforms.

First, one of DSG’s primary reform goals was to induce behavioral changes in existing chairmen – not necessarily to depose problematic incumbent committee leaders. In their early efforts to persuade members to support the rules change requiring committee chair votes, DSG leaders stressed that:

“A Chairman who receives a large number of negative votes but retains his chairmanship would *be put on notice that many of his colleagues disapprove of his performance in office*. In all likelihood, that chairman would be more responsive to the Caucus in the next term as chairman” (emphasis added).⁷²

Formal Caucus votes were intended to provide a check on members’ ideological complacency, and remind chairs that their power was not absolute. Leadership power emanates directly from,

⁷¹ The statistically significant coefficient for race should be interpreted with caution as there were very few non-white (African-American, Asian-American, or Latino(a)) members of Congress during this period. However, the results provide evidence in support of the widespread belief on the part of black members that while the seniority system often had a *negative impact on substantive representation of black interests*, it had a net *positive impact on the descriptive representation of black interests*.

⁷² Dear Colleague Letter, DSG papers, Part I, box 40, folder 5.

and therefore is accountable to, the Caucus. Liberal leaders in DSG believed that rather than target the removal of specific members, leadership change was more effectively pursued through broad institutional changes.⁷³

And second, the seniority reforms ultimately passed by the Democratic Caucus were far more moderate than initially favored by DSG. DSG originally proposed that the Caucus committee charged with studying potential reforms – known as the Hansen Committee for its chairwoman Julia Butler Hansen (D-OR)– adopt a more expansive study and evaluation of the committee system:

DSG’s draft of the Caucus resolution read: The “Chairman of the Caucus be authorized and directed to appoint a committee of the Caucus to review, consider, and recommend ways in which the Caucus may assure itself that those it selects as chairmen of standing committees will, in such capacity, *be responsive to the Caucus and to the Democratic leadership, and ways in which chairmen can be assured of working majorities on their committees who will support Democratic programs and policies*” (emphasis added).⁷⁴

Nowhere did the initial resolution explicitly call for a study of the *seniority system*. DSG was more concerned with the support of potential chairmen for national party policy and their responsiveness to the Democratic Caucus. But when Speaker Albert finally introduced a resolution calling for what would become the Hansen Committee, it charged the committee “to study and review the rules and practices of the House of Representatives, including the custom of seniority and to make such recommendations as it deems advisable.” In limiting the Hansen Committee’s purview to the seniority system, the Democratic Caucus made it harder for the Caucus to challenge specific members. Rep. Lloyd Meeds’s (D-WA) comments on the floor of the Caucus during the 1975 organizational meeting reflects this paradox: “Those who were here when these Rules were adopted will recall that they were adopted to *make it more difficult to*

⁷³ DSG’s policy was to only target the removal of Democrats’ seniority if they actively campaigned for and/or endorsed the election of a candidate from the opposing (Republican) party – an action that was already expressly forbidden by the Caucus bylaws (and thus required rules enforcement, not the passage of new rules).

⁷⁴ Draft, Caucus Resolution calling for the creating of the Hansen Committee. DSG papers, Part II, box 136, folder 11.

attack the seniority system, not less difficult” (emphasis added). Caucus bylaws did not explicitly require members to consider Chair competency or efficiency, support for national party policy, or fairness and equitable treatment for other committee members.⁷⁵ When the Caucus finally changed its bylaws and acknowledged the “custom of seniority,” it merely stipulated that the Committee on Committees “need not necessarily follow seniority” in making its recommendations for chairmanships.

Table 5.6: DSG Leadership Experience & Democratic Committee Chair Seniority Violations, 1974-1994

| | | Committee Ranking | DSG Leader | DSG Member |
|---------------------------------------|------------------|-------------------|------------|------------|
| 94 th Congress (1975-1976) | | | | |
| Agriculture Committee | | | | |
| New Chair | Thomas Foley | 3 rd | X | |
| Incumbent | W.R. Poage | 1 st | | |
| Senior | W.R. Poage | 1 st | | |
| S&P Nominee | W.R. Poage | 1 st | | |
| House Administration Committee | | | | |
| New Chair | N/A * | | | |
| Incumbent | Wayne Hays | 1 st | | |
| Senior | Wayne Hays | 1 st | | |
| S&P Nominee | Frank Thompson | 2 nd | X | |
| Armed Services Committee | | | | |
| New Chair | Melvin Price | 2 nd | | X |
| Incumbent | F. Edward Hebert | 1 st | | |
| Senior | F. Edward Hebert | 1 st | | |
| S&P Nominee | F. Edward Hebert | 1 st | | X |
| Banking & Currency Committee | | | | |
| New Chair | Henry Reuss | 4 th | X | |
| Incumbent | Wright Patman | 1 st | | |

⁷⁵ DSG was unsuccessful in amending the Committee Report to require consideration of “fitness, ability, length of service, past performance as chairman, support of Democratic programs and principles, cooperation with the leadership, and responsiveness to the will of the Caucus” (DSG Executive Committee Recommendations re Caucus meeting, DSG papers, Part I, box 40, folder 5). The continued problems posed by some chairmen drove DSG to organize another reform committee in 1992 to study potential changes in the selection of committee chairmen (see chapter 6 for more information about this reform effort).

| | | | | |
|---|------------------|-----------------|---|---|
| Senior | Wright Patman | 1 st | | |
| S&P Nominee | Henry Reuss | 4 th | X | |
| 99 th Congress (1985-1986) | | | | |
| Armed Services Committee | | | | |
| New Chair | Les Aspin | 7 th | X | |
| Incumbent | Melvin Price | 1 st | | X |
| Senior | Charles Bennett | 2 nd | | |
| S&P Nominee | Les Aspin | 7 th | X | |
| 102 nd Congress (1991-1992) | | | | |
| Public Works and Transportation Committee | | | | |
| New Chair | Robert Roe | 2 nd | | X |
| Incumbent | Glenn Anderson | 1 st | | X |
| Senior | Robert Roe | 2 nd | | X |
| S&P Nominee | Glenn Anderson | 1 st | | X |
| House Administration Committee | | | | |
| New Chair | Charlie Rose | 3 rd | X | |
| Incumbent | Frank Annunzio | 1 st | | X |
| Senior | Joseph Gaydos | 2 nd | | X |
| S&P Nominee | Frank Annunzio | 1 st | | X |
| 103 rd Congress (1993-1994) | | | | |
| Appropriations Committee | | | | |
| New Chair | David Obey | 5 th | X | |
| Incumbent | N/A* | | | |
| Senior | Neal Smith (IA) | 2 nd | | X |
| S&P Nominee | David Obey | 5 th | X | |
| Armed Services Committee | | | | |
| New Chair | Ronald Dellums | | | X |
| Incumbent | N/A* | | | |
| Senior | Sonny Montgomery | | | |
| S&P Nominee | Ronald Dellums | | | X |

Source: Committee seniority violations data for the 94th, 96th and 99th congresses was collected from the House Democratic Caucus papers at the Library of Congress. In the 102nd and 103rd congresses, this data was collected from Kathryn Pearson's *Party Discipline in the U.S. House of Representatives* (2015). Additional data on seniority violations was supplemented by analyses in CQ Almanac.

Note: Only permanent committee seniority violations that include votes cast by Steering and Policy and/or the Caucus are included here ("acting" chairmen who replaced incumbents

because of illness or pending indictment for criminal charges are excluded as they were not voted on by Members). S&P nominee refers to the first nomination issued by the Steering & Policy Committee in its capacity as the Committee on Committees.

*In these cases, the potential committee seniority violation did not result in a new committee chair (the incumbent maintained their position), or it was an open committee seat where there was no incumbent chair.

Committee Seniority Violations. The null findings in the committee chair model above, as well as archival evidence about the strategy and effect of seniority reforms, suggest that any evidence of a separate DSG effect would likely only be apparent in seniority violations. Committee seniority violations occur when Steering & Policy (S&P) nominates someone other than the most senior member on a given committee, or when Democrats vote down S&P recommendations for the most senior member. S&P serves as the Democratic Committee-on-Committees, and a member seeking a committee chairmanship (or a committee assignment) must be nominated by someone on S&P to be considered and approved by the Caucus. S&P members are appointed by party leaders (who themselves serve as ex-officio S&P members). Caucus bylaws provide that floor nominations are only in order after the S&P-nominated candidate has been voted down. Table 5.6 presents data on committee seniority violations from 1975 to 1994.⁷⁶ As the limited number of cases in the table suggests, history has confirmed Rep. Meeds's comments about the paradox of seniority reforms – seniority violations are rare. Yet in most – though certainly not all – cases, DSG leaders (and members) benefitted, and advanced to chairmanship positions between 1974 and 1994.

In 1974-1975, there were four committee seniority violations (only three were ultimately successful).⁷⁷ Of these four violations, three benefitted former DSG leaders, including two

⁷⁶ There were other cases of committee seniority violations, but they were not voted on by Steering & Policy or by the Democratic Caucus. In these instances, the chairman stepped aside because of illness or as a result of pending indictment for criminal charges. These members serve as “acting” chairmen until their eventual election or defeat.

⁷⁷ Congressional Quarterly counts 5 total seniority violations, although a total of 4 committees were involved (the Caucus turned down the Steering and Policy recommendation of Rep. Reuss, before

former chairmen. Although the reform requiring Caucus votes on committee chairs was passed in the prior Congress, the 94th Congress was the first opportunity members had to vote on potential seniority violations under the newly constituted and empowered S&P, which became the Committee-on-Committees charged with making recommendations for chairmanships. Despite the significant attention on this critical reform and the huge influx of Watergate babies, the *Caucus Journal* documents incumbent Democrats' seemingly-genuine surprise that the new rules might actually produce committee leadership change. The shocking blow to Democrats' traditionally rote committee selection process in part reflects DSG's continued minority status within the Democratic Caucus. In the 94th Congress, DSG members constituted about 45% of the Democratic Caucus – a sizable number (131) to be sure, but not nearly enough members to successfully defeat a unified opposition (especially given liberals' "Tuesday-to-Thursday Club" status).

The S&P Committee's nomination for Banking & Currency chairman was the first indication that the 94th Congress would significantly change existing power dynamics in the House. S&P nominated Rep. Henry Reuss (D-WI), a longtime DSG leader, to chair the committee over incumbent chairman Wright Patman (D-TX). Fourth in committee seniority, Reuss was nominated by an S&P vote of 20-4. The announcement provoked immediate outcry from many Democrats, including Reps. Thomas Ashley (D-OH), Leonor Kretzel Sullivan (D-MO), and Jim Wright (D-TX), all of whom spoke out in favor of Patman based on his long service in the House and his accomplishments for consumer protection as chairman.⁷⁸ They also

eventually reversing itself and ultimately approving it – which *CQ* counts as two separate seniority violations).

⁷⁸ Wright's surprise was likely genuine. Two years earlier, on January 17, 1973, he distributed a Dear Colleague letter endorsing a proposal to term limit committee chair positions because he believed the newly reformed system of Caucus votes on S&P nominees would only stir up "personal antagonism and some hurt feelings...In the end, practically every committee chairman undoubtedly will be confirmed by the members." DSG Papers, Part II, folder 137, folder 2.

stressed his many years of significant fundraising for the DCCC. Reuss was clearly the DSG candidate, and several DSG allies and leaders supported his candidacy, including Rep. Moorhead who announced that he rose “in support of *the candidate of reform*...one of the ablest economists in this Congress, our good friend from Wisconsin, Mr. Henry Reuss” (emphasis added).⁷⁹ The ensuing debate so divided Democrats that Reuss withdrew his name from nomination “for the betterment of the Caucus.” And when the Caucus met again on January 22nd, Steering and Policy nominated Patman. But Reuss was nominated again, as was Rep. Robert G. Stephens Jr. of Georgia. After a prolonged vote, Reuss ultimately prevailed over both Patman and Stephens, and Patman was added to the Interior & Insular Affairs Committee as a consolation. At 81, Patman’s competency to lead a substantive legislative committee at “this time very important economic time in our history” (552) was the deciding factor against Patman for many members. But S&P and the Caucus’s (ultimate) decision were not just a condemnation of Patman’s capacity for leadership – they were an endorsement of Reuss’s. The policy credentials and strong relationships Reuss cultivated with other members through DSG (several of whom placed his name in nomination again after his withdrawal) secured his win.

As the Caucus debated parliamentary rules that would govern debate over Reuss’s nomination, new chairman Burton announced that Poage’s nomination as Agriculture chairman had been rejected 144-141. Despite the relatively close vote, Poage’s loss did not garner the same level of personal animosity as Patman’s loss. The following day, S&P nominated third ranking Thomas Foley (D-WA) as chairman, which was supported by the Caucus when it met again on January 22nd by a vote of 257-9. As the current DSG chairman, Foley presided over the group’s orientation at the start of the Congress (where freshmen interviewed committee chairman), and had the support of stalwart liberals and new members alike.

⁷⁹ Journal of the House Democratic Caucus, Democratic Caucus papers, box 5, folder 11, page 552.

The third seniority violation in 1975 was the Steering & Policy nomination of former DSG chair Frank Thompson (D-NJ) for chairmanship of the House Administration Committee over incumbent Wayne Hays (D-OH). House Administration was by no means considered an important committee – its jurisdiction over matters like technology and office space lacked the policy substance of other committees, and Thompson himself valued his second ranking position on Education & Labor more. However, in addition to arguably parochial matters, House Administration also had jurisdiction over campaign finance reform – an issue which would grow to dominate DSG’s policy agenda over the next decade.⁸⁰ DSG strongly favored the placement of a strong supporter of campaign finance reform as chairman.

Thompson’s DSG credentials were so prominent during the ensuing debate that it likely played a role in his nomination by S&P (by a vote of 15 to 9) – a committee in which he himself served.⁸¹ Yet the Caucus initially rejected Thompson’s bid by a vote of 176 to 109. Many members apparently voted against Thompson on procedure rather than substance (believing – as with Reuss’s nomination – that Democrats should have a chance to vote *against* the incumbent before voting *for* the alternative). When the Caucus met again, S&P nominated Hays, but

⁸⁰ I analyze DSG efforts on campaign finance reform in chapter seven. Hays was a strong supporter of many Caucus-passed reforms in the 1970s, but his sometimes-tepid support for campaign finance reform in the early 1970s and his personality (and penchant for hyperbole) limited his liberal supporters. He often personally went after many of his liberal critics. He ripped into John Gardner, the chairman of Common Cause on the floor of the House, stating that “It was Common Cause and some of their henchman who tore up the election reform bill that we had and substituted their version, which made it possible for Watergate to happen. Common Cause exists, as far as I can find out, only to promote the presidential aspirations of John Gardner, which is probably the most ridiculous promotion since P.T. Barnum tried to promote his midget for that office” (Gruenstein, Peter. December 9, 1973, “He’s Nasty...and Powerful, Too.” *Washington Star*, DSG Papers, Part II, box 149, folder 10).

⁸¹ Unfortunately, archival accounts of Steering & Policy committee meetings do not exist. In the Caucus, Rep. Mo Udall (D-AZ) spoke on behalf of Thompson and stressed his position as a founder of DSG and “a beacon of courage and good sense in this House for 20 long years.” Rep. O’Hara also supported Thompson, remarking “I remember when Frank Thompson took the initiative in organizing the Democratic Study Group back in 1959 when things were very tough for the kind of program that most of us believed in. I can recall when Frank Thompson was the Chairman of the Democratic Study Group during the years 1965-1966, the 89th Congress, the Congress that wrote more social and economic legislation than any other until this one.” Democratic Caucus papers, box 5, folder 14.

Thompson's name was again placed in nomination by his liberal colleagues. Hays' leadership of the DCCC was viewed by many as the significant factor in the race. Despite allegations that Hays removed all other member's names from the DCCC stationary – purportedly to give the impression that the party campaign funds were only from him – most of the freshmen supported Hays. The Class of the 94th even wrote a letter to *Time* magazine disputing its coverage of the DCCC stationary story.⁸² Rep. Elliott Levitas (D-GA), a first term member, spoke out in favor of Hays to the other freshmen, arguing that “many of us owe our presence here today [to Hays]” and that the man responsible for “one of the greatest victories in history” should not be rewarded by being “summarily thrown out of office of his chairmanship.”⁸³ Levitas's testimonial is representative of the strange coalition of conservatives and liberals, and senior and junior members who supported Hays.

On the second vote, Thompson lost to Hays 111-161. Hays' response to his win initially suggested that DSG's strategy of placing chairmen “on notice” after a contested leadership race might prove successful: Hays said, “Obviously from everything that has been said in the newspapers and quite a few things have been said in the corridors and a few things said publicly, I am a miserable S.O.B. I will try to be a nicer S.O.B.”⁸⁴ The Thompson/Hays race suggests that while DSG enabled their leaders to be competitive against other Democrats who also lacked formal leadership positions (such as Burton's defeat of Sisk for Caucus chairman), they still struggled to defeat members who held formal positions of power (such as Hays' DCCC chairmanship). Nevertheless, Thompson's initial nomination by Steering & Policy underscores

⁸² January 29, 1975 Meeting Minutes of the “Class of the 94th” Congress, DSG papers, Part II, box 149, folder 9.

⁸³ Journal of the House Democratic Caucus, Democratic Caucus Papers, Box 5, folder 14.

⁸⁴ Hays' supporters suggested his brash reputation was one of the strengths of his leadership. Rep. John Stanton, Hays's fellow Ohio colleague, said “Wayne Hays is a son of a bitch but he is our son of a bitch. I don't use vulgarity on the House Floor for any other reason than to point out to the Members of this House that in some cases you need strength and in some areas strength has a connotation of harshness, or toughness.”

how DSG's success placing their allies on the committee – and the relationships and connections he cultivated in DSG – enabled him to be competitive with Hays. Less than two years later, Thompson would ultimately become House Administration chair as Hays succumbed to allegations he inappropriately placed his “mistress” on the payroll to compensate her “solely for sexual services.”⁸⁵

The third committee chair deposed in 1975 was F. Edward Hebert (D-LA), the longtime Armed Services chairman. Hebert was nominated by S&P, but the Caucus voted 141-144 to remove him as chairman. In retrospect, any potential debate among Democrats over Hebert's fate was considered settled after his infamous welcome to the Watergate Class, in which he addressed them with the statement: “All right, boys and girls, let me tell you what it's really like here” (Yang 1992). In his place, Melvin Price (D-IL) was elected to assume the chairmanship by a vote of 251-7. While Price did not serve on DSG's leadership, he was a dues-paying member who also served on the International Affairs & Defense Policy Task Force.⁸⁶ Price had the support of most Democrats, including liberals and freshman. He served as chair until he himself was deposed in 1985 at the start of the 99th Congress in favor of Les Aspin (D-WI), who ranked 7th in committee seniority. Aspin served on the DSG Executive Committee in the 98th Congress (immediately preceding his election) – a strategic move for a relatively moderate member, especially on defense matters, like himself. The relationships Aspin cultivated during his service on the Executive Committee helps explain his successful leapfrog over not only Price, but other more popular and more liberal (senior) members of the committee, including Reps. Charles Bennett (D-FL), Marvin Leath (D-TX), and Nicholas Mavroules (D-MA) (who was most representative of

⁸⁵ “The Congress: What Liz Ray Has Wrought.” *Time Magazine*. June 21, 1976. Thompson himself would lose his chairmanship and leave office when he was indicted as part of the Abscam Scandal in 1980. He would have the distinction of being the highest ranking and longest-serving politician indicted during the investigation.

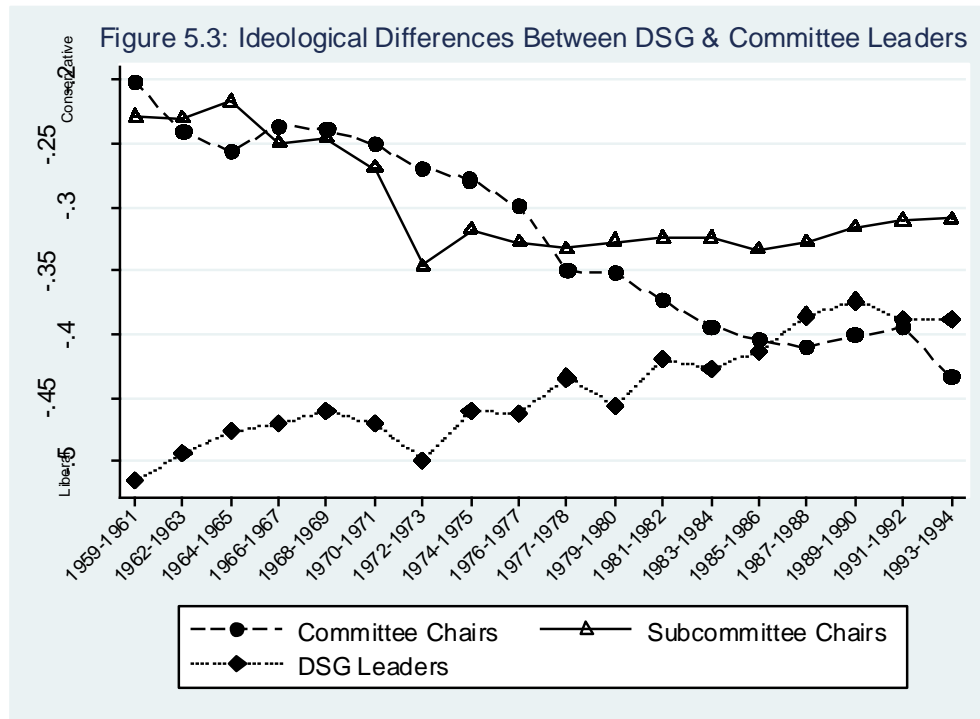
⁸⁶ DSG Task Force Membership list, DSG papers, Part II, box 36, folder 13.

the Caucus position on defense issues).⁸⁷ While the archival record does not document DSG activities on behalf of Aspin in 1985, DSG leaders strongly mobilized in support of Aspin in 1987 when Leath challenged his chairmanship (Aspin ultimately retained his post).⁸⁸

Aspin's successful bid for Armed Services Chairman in the 99th Congress represents a turning point in the committee system's representation of DSG's liberal policy goals. Figure 5.3 traces ideological differences (using DW-NOMINATE scores) of committee and subcommittee leaders relative to DSG leaders from 1959 to 1994. Not surprisingly, early in DSG's tenure, there were significant ideological differences between committee leaders and the faction of liberals in the House. But beginning in 1985, committee chairs were generally as liberal (if not slightly more so) than DSG leaders. These changes reflect both the addition of token representatives of the more southern and moderate wings of the party to the DSG leadership (explaining the slight uptick in their average NOMINATE SCORE), and the documented changes in the selection of committee chairmen. Subcommittee chairs, on the other hand, remained ideologically stable from the 93rd to the 103rd Congresses. While notably more liberal than in the late 1960s, subcommittee chairs remained more conservative than full committee chairs. As these changes took root in both the committee system and DSG's leadership, a strategic ambitious member like Aspin could secure a position on the DSG Executive Committee to make him/herself more competitive for committee chairmanships where liberal support was critical.

⁸⁷ "Congressional Leadership Tested." In *CQ Almanac 1990*, 46th ed., 8-12. Washington, DC: Congressional Quarterly, 1991

⁸⁸ On January 14, 1987, Reps. James Oberstar (D-MN), Martin Olav Sabo (D-MN), Dave Obey (D-WI), and others sent a Dear Colleague letter on behalf of Aspin who apparently provided "active representation during Armed Services Committee deliberations" of midwestern interests (DSG Papers, Part II, box 102, folder 11). On January 19, 1987, DSG leaders Matt McHugh (D-NY) and Don Edwards, circulated a Dear Colleague letter advocating against Leath despite his "pleasing personality, [and] cooperative attitude." The letter enclosed Leath's voting record, which apparently demonstrated he was opposed to "virtually everything else of importance to our party" (Part II, box 102, folder 12).



In the 102nd and 103rd Congresses, there were four seniority violations – two benefitted DSG leaders (Reps. Charlie Rose (D-NC) and Dave Obey (D-WI)), and one benefitted a DSG member (Rep. Ronald Dellums (D-CA)).⁸⁹ In 1991, Rep. Charlie Rose leapfrogged over both incumbent chairman Rep. Frank Annunzio (D-IL) (who was narrowly rejected by the Caucus) and Joseph Gaydos (D-PA) (*CQ Almanac 1991*, 8-12). Rep. Rose, a moderate to conservative Democrat, had served on DSG’s Executive Committee for two terms as a regional (southern) representative. Like Aspin, this was a strategic move that enhanced his vote support among liberals – critical for a moderate like Rose. Two other committee seniority violations in 1993-1994 benefitted members with prior relationships with DSG. Dellums was elected chairman of Armed Services by a vote of 198-10, and Obey was elected chairman of Appropriations by a vote of 152-106. Dellums had a strong liberal record, and was personally close with several DSG

⁸⁹ Rep. Robert Roe’s defeat of incumbent chairman Glenn Anderson, did not involve any DSG leader or member.

leaders, including chairman (and fellow Californian) Burton who helped secure his position on Armed Services in 1973 – historic as the first African-American member of the committee.⁹⁰ Of the two races, Obey's was by far the more contentious. Obey's chief rival for the position was Rep. Neal Smith of Iowa, who was next in line for chairmanship. S&P nominated Obey by a margin of 18-7 (after which the committee stopped voting because Obey had won a majority) (*CQ Almanac* 1995, 3-13). After his election, Obey's reputation as a DSG Democrat was solidified when he promptly hired DSG executive director, Scott Lilly, to be his chief of staff on Appropriations.

The cases of committee seniority violations analyzed here suggest that the leadership experience provided through DSG enabled ambitious liberals to compete with some of their more senior colleagues to chair House committees. DSG leaders (and members) were remarkably successful at obtaining contested chairmanship positions. This account of committee leadership change is not incompatible with other accounts of committee seniority violations in the congressional literature (Pearson 2015). Service on the DSG Executive Committee helped socialize members into leadership positions, giving them a sense of the needs of other members (and the party) and how best to support them, as well as the tradeoffs and compromise inherent to leadership decision-making. DSG leaders “were really focused on how does a legislature work and how should it work and what’s wrong with how it works...those were good things for people to think about if they wanted to rise in the institution and be effective.”⁹¹ And of course, DSG leaders were already among the most liberal with the strongest party support scores in the Democratic Caucus – executive committee service was a successful way to brandish their liberal credentials while developing the skills and experience necessary to be competitive in the Caucus.

⁹⁰ “The Honorable Ronald V. Dellums Oral History Interview,” Office of the Historian, U.S. House of Representatives, [April 19, 2012].

⁹¹ October 28, 2015 telephone interview with Scott Lilly.

Party Leadership Hierarchy. The centralization of power in party leaders during and after the passage of rules changes in the 1970s elevated the importance of the top party leadership posts for rules enforcement and policy outcomes. If DSG wanted to ensure that their policy and procedural reform agenda was maintained, they needed to ascend the leadership ladder as well. The analyses of the party leadership hierarchy below suggest that DSG was incredibly successful at developing a strong monopoly over the top Democratic leadership positions – a dominance that continues in the House today long after the group itself dissolved. DSG leaders’ overwhelming dominance suggests that we should reassess conclusions that attribute the liberal monopoly over leadership positions solely to formal rules changes and changing ideological cleavages in the Democratic Caucus (Harris and Nelson 2008; Rohde 1991).

About 10 years after DSG’s founding, their allies and leaders began making their initial forays into the top party leadership posts. Indeed, when Thomas (Tip) O’Neill was selected as Assistant Majority Leader (i.e. Majority Whip) by Speaker Carl Albert (D-OK) and Majority Leader Hale Boggs (D-LA) in 1971, he declared “I haven’t found any members of the Democratic Study Group who don’t feel they now have a voice in the leadership. I know that when the leadership meets, the views of the liberals will be expressed” (*CQ Almanac 1972*). While not a formal member of the executive committee, O’Neill had worked closely with DSG for many years. DSG selected him as their representative in the fight to introduce recorded teller voting in the House as part of an amendment to the 1970 Legislative Reorganization Act, and he served as one of the group’s whips in the 1960s.⁹² After his appointment, O’Neill and John

⁹² In remarks at a Symposium honoring O’Neill in 1981, DSG executive director Richard P. Conlon said “This [recorded teller vote] reform was the subject of a major effort by the Democratic Study Group, and Representative O’Neill agreed to be the main sponsor, thereby making the proposal more acceptable to the so-called regulars in the House.” Conlon went on to recall how this relationship continued after he entered the leadership when “O’Neill played a similar role as the Democratic whip two years later when he offered a DSG resolution in the Democratic Caucus, instructing the Democratic members of the House Foreign Affairs Committee to report legislation terminating United States involvement in the Vietnam War within a certain time” (Hale 1983, 239).

McFall recruited DSG Vice Chairman John Brademas (D-IN) as Chief Deputy Whip. Brademas was next in line for DSG chairman at the time (to succeed outgoing chairman Fraser) and was viewed as a representative of DSG to the leadership (Sarro 1971, A2). In both these cases, O'Neill and Brademas's relationship with and experiences in DSG made them more competitive than other members to be appointed to these leadership positions. Within a few short years, DSG leadership experience would make liberals competitive for even more Caucus-wide elected positions.

| Table 5.7: DSG Representation in Majority Party Leadership Posts, 1973-1994 | | | | |
|---|------------------|------------|------------|--------------------|
| | Name | DSG Leader | DSG Member | No DSG Affiliation |
| 93 rd Congress (1973-1974) | | | | |
| <i>Speaker</i> | Carl Albert | | | X |
| <i>Majority Leader</i> | Thomas O'Neill | | X | |
| <i>Majority Whip</i> | John McFall | | X | |
| <i>Caucus Chair</i> | Olin Teague | | | X |
| <i>Caucus Secretary</i> | Leonor Sullivan | | | X |
| <i>Chief Deputy Whip</i> | John Brademas | X | | |
| <i>Percent of Leadership</i> | | 16.6% | 33.3% | 50.0% |
| 94 th Congress (1975-1976) | | | | |
| <i>Speaker</i> | Carl Albert | | | X |
| <i>Majority Leader</i> | Thomas O'Neill | | X | |
| <i>Majority Whip</i> | John McFall | | X | |
| <i>Caucus Chair</i> | Phillip Burton | X | | |
| <i>Caucus Secretary</i> | Patsy Mink | X | | |
| <i>Chief Deputy Whip</i> | John Brademas | X | | |
| <i>Percent of Leadership</i> | | 50.0% | 33.3% | 16.6% |
| 95 th Congress (1977-1978) | | | | |
| <i>Speaker</i> | Thomas O'Neill | | X | |
| <i>Majority Leader</i> | Jim Wright | | X | |
| <i>Majority Whip</i> | John Brademas | X | | |
| <i>Caucus Chair</i> | Thomas Foley | X | | |
| <i>Caucus Secretary</i> | Shirley Chisholm | | X | |
| <i>Chief Deputy Whip</i> | Dan Rostenkowski | | | X |
| <i>Percent of Leadership</i> | | 33.3% | 50% | 16.6% |
| 96 th Congress (1979-1980) | | | | |
| <i>Speaker</i> | Thomas O'Neill | | X | |

| | | | | |
|--|-------------------|-------|-------|-------|
| <i>Majority Leader</i> | Jim Wright | | X | |
| <i>Majority Whip</i> | John Brademas | X | | |
| <i>Caucus Chair</i> | Thomas Foley | X | | |
| <i>Caucus Secretary</i> | Shirley Chisholm | | X | |
| <i>Chief Deputy Whip</i> | Dan Rostenkowski | | | X |
| <i>Percent of Leadership</i> | | 33.3% | 50% | 16.6% |
| 97 th Congress (1981-1982) | | | | |
| <i>Speaker</i> | Thomas O'Neill | | X | |
| <i>Majority Leader</i> | Jim Wright | | X | |
| <i>Majority Whip</i> | Thomas Foley | X | | |
| <i>Caucus Chair</i> | Gillis Long | | | X |
| <i>Caucus Secretary</i> | Geraldine Ferraro | | | X |
| <i>Chief Deputy Whip</i> | Bill Alexander | | X | |
| | | 16.6% | 50% | 16.6% |
| 98 th Congress (1983-1984) | | | | |
| <i>Speaker</i> | Thomas O'Neill | | X | |
| <i>Majority Leader</i> | Jim Wright | | X | |
| <i>Majority Whip</i> | Thomas Foley | X | | |
| <i>Caucus Chair</i> | Gillis Long | | | X |
| <i>Caucus Secretary</i> | Geraldine Ferraro | | | X |
| <i>Chief Deputy Whip</i> | Bill Alexander | | X | |
| <i>Percent of Leadership</i> | | 16.6% | 50% | 16.6% |
| 99 th Congress (1985-1986) | | | | |
| <i>Speaker</i> | Thomas O'Neill | | X | |
| <i>Majority Leader</i> | Jim Wright | | X | |
| <i>Majority Whip</i> | Thomas Foley | X | | |
| <i>Caucus Chair</i> | Richard Gephardt | | X | |
| <i>Caucus Secretary</i> | Mary Rose Oakar | X | | |
| <i>Chief Deputy Whip</i> | Bill Alexander | | X | |
| <i>Percent of Leadership</i> | | 33.3% | 66.7% | - |
| 100 th Congress (1987-1988) | | | | |
| <i>Speaker</i> | Jim Wright | | X | |
| <i>Majority Leader</i> | Thomas Foley | X | | |
| <i>Majority Whip</i> | Tony Coelho | | | X |
| <i>Caucus Chair</i> | Richard Gephardt | | X | |
| <i>Caucus Vice Chair</i> | Mary Rose Oakar | X | | |
| <i>Chief Deputy Whip</i> | David Bonior | X | | |
| <i>Whip Task Force</i> | Martin Frost | | | X |
| <i>Chairmen</i> | Bart Gordon | | | X |
| | David Obey | X | | |
| | Leon Panetta | | X | |
| <i>Percent of Leadership</i> | | 40% | 30% | 30% |
| 101 st Congress (1989-1990) | | | | |
| <i>Speaker</i> | Thomas Foley | X | | |
| <i>Majority Leader</i> | Richard Gephardt | | X | |
| <i>Majority Whip</i> | William Gray | | | X |
| <i>Caucus Chair</i> | Steny Hoyer | X | | |

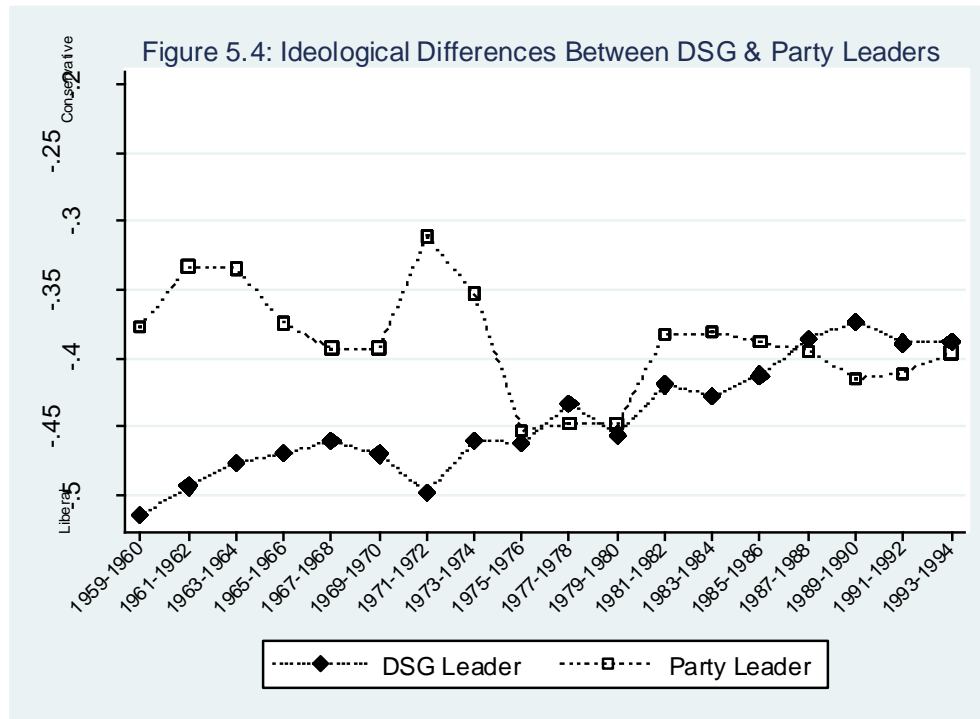
| | | | | |
|--|------------------|-----|-----|-----|
| <i>Caucus Vice-Chair</i> | David Bonior | X | | |
| <i>Chief Deputy Whip</i> | Gary Ackerman | | X | |
| <i>Whip Task Force</i> | Bart Gordon | | | X |
| <i>Chairmen</i> | David Obey | X | | |
| | Leon Panetta | | X | |
| <i>Percent of Leadership</i> | | 44% | 33% | 22% |
| 102 nd Congress (1991-1992) | | | | |
| <i>Speaker</i> | Thomas Foley | X | | |
| <i>Majority Leader</i> | Richard Gephardt | | X | |
| <i>Majority Whip</i> | David Bonior | X | | |
| <i>Caucus Chair</i> | Steny Hoyer | X | | |
| <i>Caucus Vice Chair</i> | Vic Fazio | X | | |
| <i>Chief Deputy Whip</i> | Butler Derrick | | | X |
| | Barbara Kennelly | | X | |
| | John Lewis | X | | |
| <i>Whip Task Force</i> | Bart Gordon | | | X |
| <i>Chairmen</i> | David Obey | X | | |
| | Leon Panetta | | X | |
| <i>Percent of Leadership</i> | | 55% | 27% | 18% |
| 103 rd Congress (1993-1994) | | | | |
| <i>Speaker</i> | Thomas Foley | X | | |
| <i>Majority Leader</i> | Richard Gephardt | | X | |
| <i>Majority Whip</i> | David Bonior | X | | |
| <i>Caucus Chair</i> | Steny Hoyer | X | | |
| <i>Caucus Vice Chair</i> | Vic Fazio | X | | |
| <i>Chief Deputy Whip</i> | Butler Derrick | | | X |
| | Barbara Kennelly | | X | |
| | John Lewis | X | | |
| | Bill Richardson | | X | |
| <i>Whip Task Force</i> | Bart Gordon | | | X |
| <i>Chairmen</i> | David Obey | X | | |
| <i>Percent of Leadership</i> | | 55% | 27% | 18% |

Source: Data on party leadership positions are collected from CQ Almanac. Data on DSG leadership and membership are based on documents in the DSG papers at the Library of Congress.

Table 5.7 details DSG's representation in top elected and appointed party leadership posts from the 93rd -103rd Congresses. Beginning in the 94th, DSG members and leaders collectively occupied more than 50% of the top party leadership posts, and often over 80% of the top leadership posts. By the 100th Congress, DSG leaders, as defined by their service on the executive committee, achieved a significant plurality or majority of Democratic leadership positions. Ten years after O'Neill and Brademas's appointments, DSG's steady monopolization

of the Democratic whip operation continued when Wright and O'Neill recruited Foley to serve as the last appointed whip in 1981. In 1987, Wright recruited two-term DSG leader David Bonior (D-WI) to serve as chief deputy whip. Bonior stood out from other members through his leadership of a Speaker's task force on the issue of aid to Nicaragua's contra rebels – Wright's personal passion, which DSG supported through their partisan research publication (*Special Reports*).⁹³ He was strategically selected by Wright as a "bridge" to liberals and Mid-westerners (CQ 1991). During the 1970s and early 1980s, DSG's representation in the top leadership posts constituted a minority of top leaders. But by the late 1980s and early 1990s – especially once former DSG chairman Foley became Speaker of the House – the relationship between DSG and the party leadership had shifted. DSG leaders began a long-term monopoly of the Democratic leadership, while non-DSG Democrats assumed largely token positions.

⁹³ Wright relied on DSG to help "drum up" opposition to Reagan throughout the Iran-Contras Affair (Interview with former DSG staffer, August 6, 2015).



Foley especially valued his strong connection to DSG and ensured that the leadership reflected DSG both symbolically and substantively. DSG’s executive director Scott Lilly recalled how Foley’s election changed the relationship between DSG and the party leadership:

Foley called Lilly into his office and said “[Former DSG executive director] Dick Conlon always wanted floor privileges. He was never able to get them [under prior Speakers] – you will always have them’ under my leadership.” Lilly said “Foley wanted me to know that he had come out of DSG. DSG was his anchor in the House and he wanted to continue to be considered as part of that. Foley said, ‘There may be times where you will think I am out of line, but I want to make sure that *DSG does well under my speakership*’” (emphasis added).⁹⁴

If the group’s success under Foley is measured based on their representation in the party leadership, DSG did very well.⁹⁵ In the 101st-103rd congresses, the Caucus chair and vice-chair, and the top whip officers (majority whip, chief deputy whip, and whip task force chairmen) were comprised of a strong cohort of members who emerged from the DSG leadership pipeline. Foley

⁹⁴ October 28, 2015 telephone interview.

⁹⁵ And of course, as the statistical analyses above suggest, Foley was also loyal in appointing DSG leaders into whip team positions as well.

also fostered and encouraged a strong relationship between Majority whip (and later Leader) Gephardt. Like former Speaker O'Neill, Gephardt was a close ally (and member) of DSG who never served on the Executive Committee. But unlike O'Neill, Gephardt regularly attended Executive Committee meetings to share leadership intelligence and hear from the emerging group of liberal leaders. In the 103rd congress, he attended nearly every Executive Committee meeting. He was a DSG ally and leader both in name and substance – a relationship which would become even more important when the 1994 elections ushered in a Republican majority (see chapter 8).

Figure 5.4 traces the average ideological differences between the top Democratic party leaders and the DSG Executive Committee from 1959 to 1994. While not as ideologically distinct as committee leaders, the trends in the graph clearly align with the slow monopolization of party leader positions by DSG. Party leaders remained slightly more conservative than DSG leaders from 1959 to 1974; beginning in 1975, as three DSG leaders (Reps. Burton (D-CA), Mink (D-HI) and Brademas (D-IN)) move into party leadership positions, these differences are largely eliminated. Despite a brief conservative resurgence in the 1980s which brought a new class of more conservative Democrats (and emboldened some incumbent conservatives), the leadership grows to resemble the organized faction of liberal Democrats in the House.

Post-Majority Party Era. The bulk of the analyses presented in this chapter end in 1994 when new Speaker Newt Gingrich abolished legislative service organizations (in a move purportedly targeting DSG – see chapter 8 for more details). Democrats elected after 1992 did not have an opportunity to serve on the DSG leadership, hindering the validity of any systematic comparisons between DSG and non-DSG leaders. However, there is no reason to expect that the impact of DSG leadership experience would have ended after 1994. Party leaders are more senior than the average rank and file member, and most DSG leaders continued to serve in the House. And indeed, several continued their accession up the leadership ladder.

The closely contested DSG leadership election on December 14th, 1994 suggests that Democrats, at least initially, viewed the post as more important in a post-majority party era under Republican rule. The election – scheduled prior to the devastating loss in November – resulted in arguably the most competitive race in DSG’s history. 186 Democrats filed into the Speaker’s Lobby to vote for Executive Committee members David Skaggs (D-CO) and Rosa DeLauro (D-CT). The high-level of participation, including incoming Minority Leader Gephardt – despite norms against the highest-ranking party leader participating in leadership races, especially of intra-party groups – underscores how much DSG was viewed initially as the voice of the liberal opposition to the new Republican majority.⁹⁶

Table 5.8: DSG Representation in Minority Party Leadership Posts, 1995-2006

| | Name | DSG Leader | DSG Member | No DSG Affiliation |
|--|---------------------|---------------|---------------|-----------------------|
| 104 th Congress (1995-1996) | | | | |
| <i>Minority Leader</i> | Richard Gephardt | | X | |
| <i>Minority Whip</i> | David E. Bonior | X | | |
| <i>Caucus Chair</i> | Vic Fazio | X | | |
| <i>Caucus Vice Chair</i> | Barbara B. Kennelly | | X | |
| <i>Chief Deputy Whip</i> | Rosa DeLauro | X | | |
| | John Lewis | X | | |
| | Bill Richardson | | X | |
| <i>Percent of Leadership</i> | | 57% | 43% | |
| 105 th Congress (1997-1998) | | | | |
| <i>Minority Leader</i> | Richard A. Gephardt | | X | |
| <i>Minority Whip</i> | David E. Bonior | X | | |
| <i>Caucus Chair</i> | Vic Fazio | X | | |
| <i>Caucus Vice Chair</i> | Barbara B. Kennelly | | X | |
| <i>Chief Deputy Whip</i> | Rosa DeLauro | X | | |
| | Chet Edwards | X | | |
| | John Lewis | X | | |
| | Robert Menendez | | X | |

⁹⁶ On December 4, 1994, 150 Democrats including new Minority Leader Gephardt, sent a letter to Speaker-elect Gingrich to protest the decision to abolish LSOs. The letter read: “We can only view it as an effort to censor opposing views, and to deny the primary source of information to the Minority party as we embark upon a furious legislative schedule...Given that DSG helps Members to maximize the use of House resources, eliminating DSG must be seen as an effort to stifle debate and criticism of legislation that the new Republican Majority produces” (DSG papers, Part II, box 134, folder 5).

| | | | |
|--|-----------------------------|-----|-----|
| <i>Percent of Leadership</i> | | 63% | 37% |
| 106 th Congress (1999-2000) | | | |
| <i>Minority Leader</i> | Richard Gephardt | | X |
| <i>Minority Whip</i> | David Bonior | X | |
| <i>Caucus Chair</i> | Martin Frost | | X |
| <i>Caucus Vice Chair</i> | Robert Menendez | | X |
| <i>Chief Deputy Whip</i> | Chet Edwards | X | |
| | John Lewis | X | |
| | Ed Pastor | X | |
| | Maxine Waters | | X |
| <i>Percent of Leadership</i> | | 50% | 50% |
| 107 th Congress (2001-2002) | | | |
| <i>Minority Leader</i> | Richard Gephardt | | X |
| <i>Minority Whip</i> | David Bonior | X | |
| | (2001-2002) | X | |
| | Nancy Pelosi (2002-2003) | | |
| <i>Caucus Chair</i> | Martin Frost | | X |
| <i>Caucus Vice Chair</i> | Robert Menendez | | X |
| <i>Chief Deputy Whip</i> | Chet Edwards | X | |
| | John Lewis | X | |
| | Ed Pastor | X | |
| | Maxine Waters | | X |
| <i>Assistant to Minority Leader</i> | Rosa DeLauro | X | |
| <i>Percent of Leadership</i> | | 60% | 40% |
| 108 th Congress (2003-2004) | | | |
| <i>Minority Leader</i> | Nancy Pelosi | X | |
| <i>Minority Whip</i> | Steny Hoyer | X | |
| <i>Caucus Chair</i> | Robert Menendez | | X |
| <i>Caucus Vice Chair</i> | James Clyburn | | X |
| <i>Senior Chief Deputy Whip</i> | John Lewis | X | |
| <i>Assistant to Minority Leader</i> | John Spratt | X | |
| <i>Percent of Leadership</i> | | 67% | 33% |
| 109 th Congress (2005-2006) | | | |
| <i>Minority Leader</i> | Nancy Pelosi | X | |
| <i>Minority Whip</i> | Steny Hoyer | X | |
| <i>Caucus Chair</i> | Robert Menendez (2005) | | X |
| | | | X |
| | James Clyburn (2006) | | |
| <i>Caucus Vice Chair</i> | John Larson | | X* |
| <i>Senior Chief Deputy Whip</i> | John Lewis | X | |

| | | | | |
|--|-------------|-----|-----|-----|
| <i>Assistant to Minority Leader</i> | John Spratt | X | | |
| <i>Percent of Leadership</i> | | 67% | 17% | 17% |
| DSG membership in column 4 reflects membership during the 103 rd Congress. It is coded based on whether the Member participated in the DSG election in December 1994 (only dues-paying members could participate in the election). 22 Democrats did not participate in the DSG elections, including a small number of formal members (note: including these members does not change the data presented in the table). | | | | |
| *Larson was elected after LSOs were abolished from the House. | | | | |

The race resulted in a 93-93 tie between Skaggs and DeLauro. After the first ballot, DeLauro announced she was withdrawing from the race and Skaggs automatically became chair with the promise “to preserve and strengthen DSG.”⁹⁷ Shortly thereafter, DeLauro was given a chief deputy whip position by Gephardt.⁹⁸ And while Skaggs would not be able to keep this promise, DSG’s dominance over party leadership posts was preserved and strengthened, even in the post-majority era. Indeed, the loss of the Democratic majority arguably sped up DSG’s eventual monopolization of party leadership posts as many of the Democrats who lost their seats in the 1994 election were more moderate than the average DSG leader; the election ultimately made the Caucus more liberal than before.

Table 5.8 analyzes DSG representation in minority party leadership posts from 104th – 109th Congresses (during which Democrats served under a Republican majority). Nearly all party leaders during this period, except for Rep. John Larson (D-CT) in the 109th (elected after the abolition of LSOs), served as a leader or member of DSG. And in each Congress, over 50% of the top party leaders served on DSG’s Executive Committee, including more moderate members such as Rep. John Spratt of North Carolina. Even in the 108th Democratic leadership election, which was notable for advancing a completely new slate of party leaders – 4 of the 6 newly elected (and appointed) leaders had DSG leadership experience. 3 of them had significant service

⁹⁷ December 14, 1994 DSG Press Release, DSG Papers, Part II, box 4, folder 13.

⁹⁸ It is unclear if DeLauro knew about the potential whip appointment before she withdrew from the race.

– Reps. Nancy Pelosi (D-CA) and Steny Hoyer (D-MD) had served 3 terms (or 6 years), and Rep. Spratt served 4 terms (or 8 years), on the executive committee.

Conclusion

In the pre- and post-reform eras, liberal Democrats significantly shaped leadership pathways in the House of Representatives. Absent access to official leadership pathways in the House, DSG provided liberals with the skills, connections, resources and tools, necessary to be competitive for elected and appointed leadership positions in the House. The evidence provided above suggests that leadership change is not simply the result of rules changes or ideological changes within the majority party. It reveals that the organization of liberal Democrats group did not merely succeed in empowering *liberal Democrats* to monopolize Democratic leadership positions (Becker and Moscardelli 2008; Harris and Nelson 2008), they succeeded in empowering *DSG leaders* to monopolize Democratic leadership positions. These members were undoubtedly among the most ambitious in the House and nearly all had other notable leadership experiences outside of DSG. Rep. John Lewis (D-GA), for example, is a civil rights icon, and helped found and previously served as chairman of the Congressional Black Caucus. Their ambition (Peabody 1976; Loomis 1984) made them more likely to seek out alternative leadership opportunities in the House – and to successfully leverage these experiences in their leadership races. DSG served as a bridging mechanism between individual member ambition and broader coalition changes during the mid- to late twentieth century House.

The strategy of leadership change adopted by ambitious liberals in DSG has important implications for our understanding of leadership emergence and leadership power in the contemporary U.S. Congress.

The individual characteristics cultivated by DSG are widely acknowledged by congressional scholars as a key component of leadership emergence in Congress (Loomis 1984;

Peabody 1967, 1976; Sinclair 1999; Pearson 2015). This chapter integrates these skills with the observed movement of party faction representatives to formal party and committee leadership positions in Congress (Becker and Moscardelli 2008; Harris and Nelson 2008). Group organization provides an alternative leadership pipeline, socializing ambitious members into the responsibilities of leadership decision-making, and cultivating the individual-level characteristics that help a candidate stand out in a crowded race. DSG enabled liberal Democrats denied access to leadership positions in the formal structures of the House to develop policy expertise, to build relationships with other members and key allies, to gain coalition building experience, as well as the development of a formidable reputation in the House. Ultimately, the interaction of these individual-level characteristics and group organization enabled a liberal monopoly of Democratic leadership positions that continues today.

The significance of DSG leader ambitions is easy to overlook, but their advancement fundamentally transformed leadership power. The relative “liberalness” of policy outcomes may not have necessarily changed if other liberal members who did not come up through the DSG pipeline became the party’s whips, leaders, and Speakers. But the lasting impact of procedural reform likely would have been considerably different. DSG leaders were socialized into a culture where the preservation of the 1960s and 1970s reforms was prioritized, and they had a stake in preserving the institutional reforms championed by the group that other (liberal) Democrats did not. Twenty-one years after DSG moved out of their Longworth offices, their organizational imprint on the House remains – with important implications for the role and power of party leaders. DSG helped pioneer the modern whip system, which is now an agent of party discipline in the House. Indeed, it is not surprising that the earliest movement of DSG allies and leaders into formal leadership posts occurred through the Democratic whip system. Tip O’Neill’s (D-MA) appointment as majority whip and John Brademas’s (D-IN) as chief deputy in 1971 reflects DSG’s critical mobilization efforts throughout the 1960s. In every succeeding Congress after

their appointments, the DSG Executive Committee was represented in the top leadership of the whip system. The significant increase in activity and effectiveness of the Democratic whip system beginning in the early 1970s has its roots in the leadership experiences of liberals in DSG, and was upheld through successive generations of DSG-Democratic leaders (Evans 2011). In addition, DSG leaders were also uniquely positioned to learn about the role of information access in policymaking power and the development of party unity. Richard Gephardt's (D-MO) decision (at the suggestion of Rep. Dave Obey (D-WI)) in 1995 to hire DSG's top staffers to develop an informational and research office within the Democratic leadership strengthened the role of party leaders in shaping party messaging on policy issues (Harris 2005). This office today, while lacking the breadth and diversity of DSG's research services, reflects the transition of DSG's leaders and allies into the Democratic leadership. The loyalty and responsibility these members felt towards upholding the organizational role provided by DSG was not shared by rank and file liberal Democrats.⁹⁹

Of course, the leadership monopoly fostered by DSG would not have been possible without the adoption of many of the 1970s-era reforms. Thus, I now turn to the second facet of institutional change – procedural change.

⁹⁹ One DSG staffer (August 6, 2015) referred to Democrats immediately after the election as “chickens running around with their heads cut off.” This staffer (whose sentiments were reflected in other interviews) expressed disappointment that Democrats did not do more to protect DSG, and fight back against Gingrich.

6 | Procedural Change in the House of Representatives

Legislative rules and procedures are a constant source of consternation for new members of Congress. After a long campaign built on a platform of bringing “change” to Congress, most new members learn that the promises they made to their constituents are stymied by rules that limit their capacity to participate in Congress. They control nearly every aspect of the U.S. Congress – from how party and committee leaders are selected, the involvement of the public and interest groups in shaping legislation, the power of the minority to oppose the majority, the level of media access, the quantity and quality of member debate, to the legislation ultimately adopted by Congress. In the House, rules and procedures are employed to centralize nearly all legislative power in the majority party leadership or the committee system – but nearly always to the detriment of rank and file members. Absent rules changes, it is very difficult for junior members to gain access to the leadership pipeline or to participate in the legislative process. Indeed, the House Freedom Caucus’s chorus of pleas for a “return to regular order” in 2015 is a testament to the frustration junior members face in pursuing their goals, even in the majority party.¹ Later that year, they leveraged their support for Rep. Paul Ryan’s (D-WI) Speaker bid in exchange for his promise that he would consider changes to rules and procedure that would empower rank and file Republicans. The party’s failure to adopt any major reforms over the past 18 months reflects the limitations of piecemeal negotiations with party leaders during leadership elections. If members want to change how Congress works and the legislation it produces, they need to develop a longer-term strategy.

¹ “Regular order” is an idealized version of the legislative process that emphasizes member participation at every stage of the process.

As the previous chapters detail, junior liberals in the 1950s learned a similar lesson. It was not sufficient for liberals to simply lobby party leaders or leverage their votes in leadership races; successful procedural reform efforts require overcoming a series of institutional hurdles. This chapter focuses on this stage, or the preceding activities necessary for successful procedural change *before* any votes are cast by members. I argue that procedural reform is a member-driven process with multiple stages, and analyze how DSG empowered liberal leaders to advocate for a series of reforms designed to redistribute power between rank and file members, party leaders, and committee chairs. DSG enabled liberal reformers to engage in a series of agenda-setting and coalition building activities; these activities include (1) researching House procedure to identify hurdles to their policy and power goals; (2) informing their fellow likeminded partisans about the need to reform House procedure; (3) developing consensus between members about the best way to reform the rules; and (4) mobilizing members to participate when their reforms came to a vote. Each of these activities enabled liberals to successfully overcome the bias towards the status quo in the formal structures of the House, and to enact a series of reforms that created the foundation of the contemporary U.S. House. Although many scholars suggest that congressional reform is an inevitable byproduct of compositional changes within political parties (Cox and McCubbins 1993; Wright 2000; Zelizer 2004), procedural reform is a uniquely member-driven process.

Like the previous chapter, the analyses that follow are divided in two parts – process (Part I) and outcome (Part II). Part I examines processes of procedural change in the House from the late 1950s to the mid-1970s.² I analyze the role of organization in promoting each stage in the proposed process, and evaluate a series of procedural reforms against the proposed process. Part II evaluates the success of each of liberal Democrats’ procedural reform proposals from 1959 -

² This period roughly aligns with what we might call the “reform era.” Chapter 8 addresses the consideration and adoption of rules reforms in the 1980s and 1990s.

1976. As the outcome of DSG's procedural reform campaign has received extensive analysis in the literature, the bulk of the chapter focuses on processes of procedural change in the House Democratic Caucus in the 1950s-1970s. In both sections, I weave several in-depth case study analyses, including the 21-day rule, recorded teller votes on amendments, the transformation of the Democratic whip from an appointed to an elected position, the 1970 Legislative Reorganization Act, and the creation of the Democratic Steering & Policy Committee. "Successful" and "failed" cases are included throughout the chapter. Collectively, the analyses in Part I and II suggest that reform is not an automatic or passive event that occurs upon the election of a sizable number of likeminded members, but a longer-term process with a series of distinct stages.

I begin by briefly examining the institutional environment that confronted junior liberals, and why a piecemeal reform process of study, information dissemination, consensus building, and mobilization is necessary for groups to successfully spur procedural change.

Lessons Learned – Challenges to Procedural Change in the Textbook Congress

In the 1950s, reform-oriented liberal Democrats confronted significant institutional hurdles to receiving consideration – let alone adoption – of their procedural reform agenda.³ There was little historical precedent for liberals to rely on to successfully guide their efforts. Other likeminded Democrats were uninterested and unengaged on issues of House procedure, which was not a salient issue for their constituents or in their electoral campaigns. Party leaders

³ See chapter 4 for a longer discussion of procedural informational asymmetries, which ensure that members not only have little motivation to change legislative procedures (in contrast to most spatial accounts of institutional change), but they also have no understanding about how to change procedures. See chapter 3 for a discussion of the reticence expressed by party leaders to support liberal reform goals. Party leaders' fear of a loss of power and/or their own leadership position underscores the ineffectiveness of piecemeal lobbying efforts in promoting long-term institutional change.

were wary of supporting any changes that might limit their own power, or risk their leadership position.

And while existing theories of procedural reform largely assume that an increase in a faction's ranks will help promote their cause, liberals in the 1950s and 1960s could not make the same calculation. There simply was no established mechanism within the Democratic Caucus or the House for liberals to press their case and force a vote. The result was that the group's capacity to affect procedural change was based more on chance – whether they could receive a meeting with the Speaker, and whether they could convince the Speaker to support their proposal(s). This was not a strategy for long-term success.

In 1965, Congress finally established a (temporary) joint committee to examine organizational changes. As amended by liberals, the resolution creating the committee provided for no restrictions on the scope of the committee's responsibilities.⁴ In theory, this meant that the committee had the prerogative to address any change necessary to improve the function of the legislative branch. In practice, it helped delay any sort of consensus between the parties about what type of forum was appropriate to consider changes to the seniority system and other procedural issues. Indeed, while liberals were keenly aware of the need for a permanent body within Congress to consider changes to the legislature, neither party had yet agreed that party caucuses should function as the primary site of procedural reform within the House.⁵ Members

⁴ March 10, 1965 Dear Colleague letter from DSG executive committee, Part II, box 38, folder 3. April 8, 1965 Dear Colleague letter from Reps. Chet Holifield (D-CA), Henry Reuss (D-MI), and Frank Thompson (D-NJ). DSG papers, Part II, box 132, folder 7.

⁵ The Report of the 1946 Joint Committee on the Organization of Congress called for changes to internal party organization and a mechanism to “bring about more party accountability for policies and pledges.” The Report read “...if party accountability for policies and pledges is to be achieved, stronger and more formal mechanisms are necessary. The present steering committees, an informal and little-used device, seldom meet and never steer.” It recommended that the majority policy committee “hold frequent meetings to consider its role in expediting consideration and passage of matters pledged to the people by their party. [Report of the Joint Committee on the Organization of Congress, 79th Congress (2nd session), March 4, 1946, DSG papers, Part II, box 127, folder 5.] DSG's executive committee called for a permanent joint

repeatedly testified across the Joint Committee’s hearings to express their opposition to, and support of, the seniority system. And many offered their own diverse proposals to replace or augment the role of seniority in committee leadership selection.⁶ Members’ varied approaches to reforming the seniority system underscore not only the lack of consensus about potential reforms, but also where potential reforms should be addressed within Congress. The Joint Committee ultimately decided against making seniority reforms an issue for the House floor: seniority “is a custom of both parties and can be disregarded when there is *sufficient sentiment* in either party to do so...Seniority is, therefore, a party matter” (emphasis added).⁷

The “sufficient sentiment” described above is in keeping with the dominant views in the congressional literature. Most scholars argue that liberals successfully challenged existing legislative byways and the conservative monopoly on the committee system through their growing numbers in the House. The election of a large number of junior members in the 1970s (which reached a crescendo with the election of the Watergate Babies in 1974) provided a new majority vote bloc without a stake in the existing institutional system (Schickler, McGhee and Sides 2003). The liberal homogenization of the Democratic Caucus incentivized centralizing

House-Senate committee on congressional reorganization (similar to the Joint Committee on Atomic Energy). The proposal went nowhere, but it documents liberals’ early belief that Congress needed a permanent mechanism and body to continually consider changes to the internal organization and operation of Congress. December 9, 1964. *St. Louis Post-Dispatch*, “House Liberal Leaders Agree Tentatively on Eight Changes to Curb Conservatives’ Power,” James Deakin. DSG papers, Part II, box 129, folder 9.

⁶ Rep. Mo Udall (D-AZ) argued against the evils of seniority, and proposed electing chairmen by secret ballot by the three senior majority party members of the committee (May 12, 1965, Statement of Mo Udall). Rep. D.R. Billy Matthews (D-FL) spoke on behalf of the seniority system, noting that it produced well-informed chairmen (May 13, 1965 Summary of Hearings). Rep. Chet Holifield (D-CA) testified in support of a system of rotating committee chairs among majority party members (May 17, 1965 Testimony of Chet Holifield). Rep. John Rhodes (R-AZ) – who became minority leader in 1973 – said he “saw some merit in caucus election of committee chairmen.” (May 18, 1965 Summary of Hearings). Rep. John Lindsay (R-NY) testified in support of chairmen election by the committee’s majority members (May 26, 1965, Statement of John Lindsay). And Rep. James O’Hara (D-MI) spoke in support of allowing party caucuses to not only nominate, but vote on each nominated chairman by secret ballot (with the most senior member receiving the initial nomination) (June 3, 1965 Summary of Hearings). DSG papers, Part II, box 128, folder 1.

⁷ Final Report of the Joint Committee, Pursuant to S.Con.Res.2, July 28, 1966. DSG papers, Part II, box 128, folder 2.

power in party leaders who could effectively advocate on behalf of their interests (Rohde 1991). The result was the dissipation of the coalition of urban big machine Democrats and southern conservatives that Speaker Sam Rayburn (D-TX) fought so hard to protect (Polsby 2004).

While these accounts rightly connect compositional changes within the party to concrete changes in House and party rules, they obscure the critical – and necessary – intervening stages prior to the adoption of the historic reforms of the 1970s. How did members decide which procedural reforms to support? How did junior liberals overcome the stark participation problems confronting their cohort? And absent a forum or venue to even discuss procedural reform, how did liberals successfully develop one? This chapter focuses on these intervening processes.

If neither Democratic leaders nor official congressional channels would provide a venue to consider changes to the seniority system and other areas of congressional organization, liberals created their own forum through DSG. I argue that DSG provided a platform and forum for members to learn about and study existing legislative procedure, to draft and debate potential reforms, and to build relationships with allies inside and outside of Congress. If group-led procedural change in Congress is predicated on the emergence of a large group of likeminded members (Rohde 1991; Schickler, McGhee and Sides 2003), then DSG made it possible for liberals to capitalize on rising “sentiment” as soon as their ranks increased in the 1970s. More specifically, the organization of DSG enabled liberal reformers to engage in a four-stage process of procedural change; these stages include 1) researching the linkage between existing rules and procedures and their policy goals; 2) informing members about the need to reform the rules; 3) developing a consensus between members about the best way to reform the rules to enable their policy goals; and 4) mobilizing members to participate when specific rules proposals were

debated and voted on.⁸ Each of these stages overcomes significant power, informational, and participation asymmetries that exist between members, including differences between liberals and conservatives, and junior and senior members, in the textbook era.

The theory of procedural change offered here is not incompatible with existing theories of institutional change that stress the emergence of a large group of likeminded members in spurring de(centralizing) adjustments to existing rules and procedures (Rohde 1991; Schickler, Sides and McGhee 2003). DSG enabled liberal reformers to engage in the critical agenda-setting and coalition-building work necessary for the successful adoption of reform in the historic Democratic organizing meetings in 1972 and 1974. Where my theory of procedural change departs is in its understanding of procedural reform as an active process more akin to the normal legislative process, rather than a static event where members play a passive role. Many scholars view procedural reform as a mere byproduct of the emergence of a large group of likeminded members – incentives within the party change; the rules change to compensate. In the theory offered here, members themselves comprise the pressure group necessary to force a static institution like the House to adopt major reform (in contrast to interest group-driven models (Wright 2000; Zelizer 2004)).

Moreover, the intervening stages that occur in-between often remain an unexplained black-box in most spatial, and even many group-driven, accounts. The theory offered here contributes to this literature by identifying and explaining the critical intervening stages necessary to link the emergence of new interests in Congress to concrete changes in House and party rules and byways. Procedural change requires just as much careful research, negotiation, lobbying, and mobilization, as policy change under the normal legislative process. Existing theories provide

⁸ Some of these stages may occur simultaneously, rather than sequentially. But all are necessary preconditions for the adoption of group-driven procedural change in Congress.

excellent accounts of *when* procedural change is likely to occur in Congress, but they are not as useful in explaining *how* and *why* the resulting changes look like they do. Why did the 1970s reforms simultaneously empower both the rank and file and the leadership? Why were specific reforms to the Rules Committee adopted and not others?

I now turn to an analysis of how DSG leaders strategically employed the organization's resources and tools to develop and advocate for a series of procedural reforms to further liberal policy goals.

PART I: Processes of Procedural Change in the 1960s and 1970s

Liberal Democrats learned quickly that piecemeal lobbying of the leadership and singularly extracted promises are not an effective strategy for long-term, mass institutional change. Indeed, as reform leaders wrote in a letter to their fellow Democrats in November 1958, "there is a tremendous amount of research, drafting, organizational work, and personal contact to be done among our colleagues if we are to succeed."⁹ In this section, I analyze the process through which DSG enabled liberal leaders to effectively advocate for the adoption of procedural reform by providing them with the organizational support necessary to develop a reform agenda and build a coalition of supporters inside and outside of Congress. My research of the archival record and interview data suggest that liberals' successful pursuit of procedural reform in the 1960s and 1970s is not solely due to the size of their vote bloc. Rather, liberals effectively capitalized on their increased ranks because they successfully undertook a series of preliminary stages long before the reforms even came to a vote.

⁹ November 12, 1958 letter from Reps. Frank Thompson (D-NJ), George Rhodes (D-MI), Henry Reuss (D-MI), and Lee Metcalf (D-WY) to John E. Moss (D-CA). DSG Papers, Part II, box 159, folder 1.

Preliminary Research

Research on congressional organization, and the relationship between House and party procedure and policy outcomes, constitutes the first stage of the process of procedural change. This information-collecting stage is usually noted by scholars of institutional change (Rohde 1991; Schickler 2001) as a component of the reform-drafting process, although its inherent difficulties are often overlooked. In most accounts of congressional reform, members are overloaded with information from “lengthy hearings, symposia, surveys, public appeals, academic consultations, roundtables, and so forth” (Deering and Smith 1996, 47). But in both the historical and contemporary U.S. Congress, members struggle to even develop parliamentary expertise, let alone learn about the connection between specific rules and policy goals. Simply put, reformers cannot “reform” legislative procedure if they do not even know what aspects need “reforming.”

From the late 1950s through the 1990s, DSG developed a reservoir of institutional knowledge and staff resources on the rules of the House of Representatives and the Democratic Caucus. Absent a compendium of current congressional precedent, or the vote records of committee chairmen, DSG developed its own. The group carefully researched why specific rules disproportionately limited specific policy goals (such as an omnibus housing bill), and the implications of specific reforms for broader issues (such as majority party and leadership power, and transparency). The information provided immediately digestible and usable evidence to persuade members and leaders to support DSG’s reform agenda. These informational resources enabled the group to develop a dynamic procedural reform agenda – one attuned to the policy and political demands of a specific point in time.

As chapter three details, it took several years after DSG’s founding for the group to develop a steady financial resource stream and staff support. In the interim years, liberals relied

extensively on the Library of Congress to conduct research on House procedure. In the late 1950s and early 1960s, the Legislative Reference Service (the precursor to the Congressional Research Service) conducted several studies on DSG's behalf. Among them include a history of the Rules Committee and its relationship to majority party and leadership power, and a summary of common arguments made by members on the House floor against reforms to specific legislative rules and procedures. These studies gave liberal leaders a historical and pragmatic foundation to understand the role of the Rules Committee and other legislative features in the House, including the 21-day rule and the Calendar Wednesday procedure.

Shortly thereafter, DSG began one of its most significant – and almost entirely unknown – research efforts known as “Project Saltmine.”¹⁰ In the 1950s and 1960s, liberals lacked access to an updated compendium of House procedure and precedent. While this asymmetry between members undoubtedly made it difficult for junior members to protect their individual parliamentary rights to participate (see chapter four), it also made procedural reform more difficult. Liberal reformers can hardly expect to change the rules if they do not even know the status of existing rules and procedures. Thus in 1961, DSG chairman Chet Holifield (D-CA) instructed executive director William “Bill” Phillips to begin putting together a current compilation of congressional precedents. The project was to be jointly managed by Phillips and Frederick “Fred” Sontag, a staffer for Republican Tom Curtis (R-MO).¹¹

The aim of the project was to compile a complete set of rulings of the Chair in points of order, parliamentary inquiries with the force of rulings, rules changes, and construction of House

¹⁰ I asked former House Parliamentarian Charles Johnson who was an apprentice to Parliamentarian Lewis Deschler in the 1960s, about “Project Saltmine” and he had never heard of the effort. “Saltmine” was an independent effort by members and their staff alone. August 22, 1966 letter from Yale University Professor Andrew Walker to John Morgan. DSG papers, Part II, box 159, folder 4.

¹¹ Holifield and Curtis were close allies on the effort as access to congressional precedent was one of the few major issues during this time period that equally (and significantly) affected majority and minority party members, and junior members alike.

rules. If the “Parliamentarian can find a precedent both for and against a proposed legislative action” (Bolling 1966, 113), liberals wanted to make sure they too had access to whatever precedent existed in their favor.¹² The project required considerable resources. Phillips and Sontag approached several foundations to fund the effort, including the Carnegie Foundation, the Taconic Foundation, and the William Volker Fund, and *Congressional Quarterly* offered their assistance as well.¹³ By 1964, a total of 5 staffers (including Phillips, Sontag, and some outside academics) worked part-time to complete the painstaking research. The name “Project Saltmine” is indicative of the meticulous, all-consuming attention required of the research. Staffers read paper copies of the *Congressional Record* line by line, and recorded every relevant motion and ruling, from the New Deal era to the 1960s.¹⁴

The archival record does not reveal whether the compendium was ever completed (records continue until 1969). Nevertheless, the significant reservoir of information it represented occasionally enabled liberals to challenge rulings on the floor – the ultimate goal of the project.¹⁵ For example, liberals used the precedent research to ensure a package amendment adding education funding to the Labor-HEW appropriations bill in July 1969 was allowed to proceed to a vote.¹⁶ If each of the amendments had been voted on separately, they likely would have failed;

¹² Many did not trust the Parliamentarian to provide this resource (see chapter four).

¹³ It is unclear if any of these foundations ultimately funded Saltmine, however the Carnegie Foundation provided the American Political Science Association with a grant to study congressional organization. *CQ* executive editor and vice president, Thomas N. Schroth, wrote to the group to offer *CQ*’s assistance in completing the project, which likely reflects *CQ*’s own interest in having an updated compilation of House precedent in order to effectively cover debate on the House floor. October 9, 1967 letter from Thomas N. Schroth to Tom Curtis. DSG Papers, Box 133, folder 1.

¹⁴ Archival records of the final product are incomplete, but “Saltmine” was clearly a hands-on, extensive effort. Most pages in the compendium are a series of small sections of the *Congressional Record*, which have been cut and pasted on to sheets of paper.

¹⁵ August 22, 1966 letter from Yale University professor, Andrew Walker, to John Morgan, DSG Papers, Part II, box 159, folder 4. Walker wrote, “We had all hoped that in compiling a new set of precedents some of the power now resting in the Speaker and the Parliamentarian [to rule “the way they wish”] would be taken away.”

¹⁶ July 29, 1969, 4:35pm, DSG Whip Call: “This is a DSG whip call. It is essential that members go to the floor and stay there. A vote on the Joelson amendment is expected shortly.” DSG Papers, Part II, box 102, folder 4.

the precedent forced the parliamentarian to rule that the package was in order, and it ultimately passed 242 to 106.¹⁷ One lobbyist active on the bill acknowledged the key role of the group's research, we "had to concede that *these liberals had done their homework* for a change and had looked up some precedents and stuff" (Kingdon 1973, 119, emphasis added).

The emphasis on research often left the group open to criticism from more activist members, but it ensured that the group's procedural reform agenda was responsive to current needs, rather than a static slate of changes.¹⁸ When the group's research indicated a reform was no longer necessary, its leaders stopped pursuing it.

21-Day Rule. Liberal Democrats' pursuit of the 21-day rule exemplifies the critical role of preliminary research in carefully crafting rules based on existing precedent, policy implications, and the current legislative environment. The 21-day rule provides a mechanism for the House to bypass the committee with jurisdiction over legislation if it has not been reported by the committee within 21 or more days. The 21-day rule is often viewed as a check on the Rules Committee because it provides a way for legislation that has not been granted a rule by the committee to be heard on the floor. Or as a 1962 *Washington Post* editorial declared, "Unquestionably, the House needs the Rules Committee as a traffic regulator, but the 21-day safety switch is needed to prevent the light from being permanently stuck on red."¹⁹ While ultimately only in effect from 1965-1966, this period coincided with the adoption of many of President Lyndon B. Johnson's Great Society programs.

¹⁷ July 30, 1969 DSG Whip Call: "This is a DSG whip call. The vote on the Joelson amendment will occur at 4:15pm. Passed 242-106; r.c. 293-120." DSG Papers, Part II, box 102, folder 4.

¹⁸ For example, Rep. Shirley Chisholm (D-NY) wrote to DSG Chairman Donald Fraser on March 16, 1970: "Whenever we don't want to get to the 'guts' of an issue which has been discussed and debated for a long time, we [DSG] immediately establish another commission to do another study! We are already sinking under the weight of studies and analyses which have been done on poverty, education, reorganization of Congress and whatever. I would suggest that the Congress cease talking and begin to act immediately" (emphasis added). DSG Papers, Part II, box 122, folder 8.

¹⁹ July 30, 1962. "Modernizing Congress: II," pg. A12, *Washington Post*. DSG Papers, box 129, folder 6.

In November 1958, as reformers prepared for an influx of junior liberals, the nascent DSG leadership began conducting research on the historical precedent for adoption of the 21-day rule, which suggested that it served as an effective Rules Committee check.²⁰ When it was in effect during the 81st Congress, legislation providing for Hawaiian and Alaskan statehood, a Rivers and Harbors bill, the National Science Foundation bill, an anti-poll tax bill, a veterans' hospital bill, and a joint resolution providing for U.S. participation in international organizations, was brought to the floor.²¹ This historical precedent suggested that the twin failures of the Omnibus Housing and Area Redevelopment bills at the end of the 85th Congress (1958) would not have occurred had the 21-day rule been in effect.

Rep. Chet Holifield (D-CA) included the reinstatement of the 21-day rule among the three procedural reforms he brought to Speaker Sam Rayburn (D-TX) in January 1959. Although Rayburn did not support its reinstatement, liberals did not abandon the reform goal and continued their research into its efficacy.²² And in December 1964, on the eve of a large influx of junior members, DSG again placed the reinstatement of the 21-day rule at the top of its reform agenda.²³ The group was careful however, to learn from historical precedent and their own experiences with Speaker Rayburn in 1959. The group's research revealed two primary limitations of the rule drafted in 1949 – 1) it was temporary – valid only for a single congress; and 2) it required action by the chairman of the standing legislative committee that had originally reported the bill.

²⁰ Confidential "Proposed Master Plan and Timetable for Efforts to Liberalize House Rules," 1958. DSG Papers, Part II, box 159, folder 1.

²¹ According to the group's research, the rule also forced the Rules Committee to report other legislation, including minimum wage, social security, and public housing legislation. "Background Information – Proposed Changes in House Rules," 1958. DSG Papers, Part II, box 159, folder 1.

²² October 26, 1960 Legal Research Memorandum, "Analysis of Proposals to Overcome Legislative Obstruction by the Rules Committee." DSG Papers, Part II, box 136, folder 10.

²³ The reinstatement of the 21-day rule was the first of 8 procedural reform proposals endorsed by DSG's executive committee in December 1964. "House Liberal Leaders Agree Tentatively on Eight Changes to Curb Conservatives' Power," James Deakin, *St. Louis Post-Dispatch*, December 9, 1964, DSG Papers, Part II, box 129, folder 9.

The newly drafted rule was strategically crafted to address these issues, and garner Speaker John McCormack's (D-MA) support. It provided for a permanent change in House rules, and empowered the Speaker to permit committees to call up a rule for adoption by majority vote on the floor if the Rules Committee refused to act. As one DSG leader told the *Wall Street Journal*, "Precedent, which is pretty important around here, was all on the side of giving the power to the chairmen of the committee which had written the legislation. *But we figured we'd get along a lot better with the Speaker if we could show we were interested in helping him*" (emphasis added).²⁴ Whereas the 1949 drafted rule mandated that the Speaker recognize the committee chairman to call up a rule, the 1965 drafted rule gave the Speaker discretion to recognize any (supporting) majority party committee member to call up a bill.²⁵ Liberals' plan succeeded. McCormack not only supported it, but he spoke out personally on the House floor in support of the provision, including its permanent change in the rules. The 21-day rule was adopted with a six-vote margin (224-202).

This permanent change in House rules only lasted for the 89th Congress. The 21-day rule was abolished at the start of the 90th – unsurprising given the narrow margin of the 1965 vote, the steep drop in liberal membership after the 1966 election, and the fact that liberals did not even mount an effort to keep it. However, it was used six times during the 89th Congress, and was widely attributed as a critical factor in the success of President Johnson's agenda.²⁶ While the

²⁴ "The House Liberals," *Wall Street Journal*, pg. 14. Joseph W. Sullivan, February 16, 1965, DSG Papers, Part II, box 129, folder 9.

²⁵ 1966. "House Rules Changes Enhance Majority Rule." *CQ Almanac* 1965(21): 585-90. Washington, DC.

²⁶ Among the six applications of the rule was a key policy goal of DSG and its chairman at the time, Rep. Frank Thompson (D-NJ) – House repeal of section 14(b) of the 1947 Taft-Hartley Act, otherwise known as the "right to work" provision. Thompson chaired the Special Labor Subcommittee and introduced H.R. 77, which would have barred states from adopting "right to work" laws. Thompson's bill was stuck in the Rules Committee and only received a floor vote because of the 21-day rule, which Education & Labor Committee Chairman Adam Clayton Powell (D-NY) triggered in July 1965. The bill ultimately died in the Senate, but its approval in the House underscores the significance of not only this singular procedural reform, but DSG's strategic pursuit of reforms to enable their policy goals. July 22, 1965 memo from Thompson to Members re 1965 Supplement to Fact Sheet 8 – H.R. 77 (H. Rept. 540) Repeal of Section

rule was in effect, not a single Great Society program was buried in the Rules Committee. In the years to follow – and with the eventual ascension of moderate Rep. Ray J. Madden (D-IN) to the Rules chairmanship in 1973 – liberals’ research suggested that the 21-day rule was no longer a necessary or effective procedural reform goal.²⁷

Information Dissemination

The second stage in the adoption of procedural reform (and enforcement) is simply informing members about the relationship between specific rules and procedures, and power and policy outcomes in Congress. Theories of institutional change generally assume that frustrated members of Congress are already aware of the necessity and high stakes involved in the enactment of procedural reform, but this is rarely the case. Instead, members often must be explicitly informed – a thorny task rife with the potential to stir up conflict between party members and leaders. DSG’s information campaign aimed to persuade members that the rules were malleable based on members’ support or opposition, and that rules (and norms treated as rules) had significant power and policy implications.

It seems somewhat obvious to political scientists, especially in the 1950s, that the seniority system has enumerable effects on policy and leadership in the House (1950 APSA Report). But it was not apparent to most members. At the time, members received little to no

14(b) of Taft-Hartley Act, DSG Papers, Part II, box 151, folder 6. “Right to Work’ Repeal Defeated by Filibuster.” in *CQ Almanac 1965*(21): 818-31.

²⁷ After Rules Chairman Howard Smith’s (D-VA) electoral defeat, liberals leveraged their promise not to oppose 2nd ranking Rep. William Colmer (D-MS) to negotiate regular meetings of the Rules Committee (in 1967), and regular meetings of the Democratic Caucus (in 1969). In 1972, the 21-day rule was officially abandoned as unnecessary given Madden’s impending take over as chairman [July 31, 1972 Minutes of the Committee for Congressional Reform: “The 21-day rule was also considered for our attention. It was decided that there was not a great need for changing this rule particularly in view of the likelihood of Rep. Ray Madden becoming Chairman of the Rules Committee in the near future.” DSG Papers, Part II, box 154, folder 7].

formal orientation to the House.²⁸ And in a static legislative institution, members are naturally predisposed to simply assume that the rules themselves are largely unchangeable. Before convincing members about the need to even change the rules, DSG first had to undertake what executive director Dick Conlon called an “educational job”:

“We sit here and talk to one another and we know about the power relationships in the House and how they work. The average member doesn’t know about that. This is the most eye-opening thing I ever did to call and ask on this. There were members who thought that the seniority system and the way we did things was in the House Rules or in the law and I even encountered one guy who thought it was in the Constitution. And those that do have a sense of the relationship and so forth feel that [the seniority system] it’s the best of all possible systems...So we’ve clearly got to educate before we can make changes.”²⁹

This “educational job” posed a direct challenge to both party leaders and the party brand.

Speakers Sam Rayburn (D-TX) and John McCormack (D-MA) had a strong incentive to suppress information that would pit one faction against another – their leadership position depended on their ability to cultivate and promote their fellow partisans’ *shared* interests.³⁰ DSG’s distribution of information on the implications of the seniority system for liberals, or the

²⁸ The Democratic leadership began officially orienting new members to the House in 1976. In the interim, members were left to other, informal means of learning about legislative byways. On April 10th, 1959, Rep. Charles O. Porter (D-OR) described his orientation to Congress on the House floor as follows: “Shortly after the election a Representative-elect receives a 13-page booklet from the Clerk of the House. It tells him about his pay, staff salaries, office equipment, allowances for travel, stamps, telephone, and telegraph. The Congressional Secretaries Club publishes an “Official Congressional handbook” with tested suggestions for office procedures, but there is no handbook for a freshman Congressman. When I arrived on the Hill in December 1956 I asked the Library of Congress to provide me with anything it might have in the way of advice from veteran lawmakers on “how to be a Congressman.” The librarians reported they could find nothing of the sort. Finally they sent over Jerry Voorhis’ “Confessions of a Congressman” – a worthwhile book for a freshman to read, by the way, but not what I had in mind.” DSG papers, Part II, box 123, folder 6.

²⁹ Chronology of Caucus and House Reforms, 1969-1975. DSG Papers, Part II, box 127, folder 4.

³⁰ Majority leader Carl Albert’s (D-OK) comments on the floor of the Caucus on September 15, 1971 provides a nice illustration of the leadership’s attitudes towards consensus and dissension within the party: The Democratic Caucus’s “legitimate role is most decidedly not to provide an arena where ideological, geographic or ethnic Democrats of a certain stripe or coloration may win points or games against equally genuine Democrats of somewhat different backgrounds. Neither, may I add, do I feel the proper role of our Party Caucus to be some type of medieval star chamber or Communist Politburo charged with the responsibility of applying a litmus test for political orthodoxy... There is no doubt in my mind, however, that, for the Democratic Party, and this includes all who choose to stand under its broad umbrella, such a public display of crying and gnashing of teeth, is obviously counter productive.”

(un)representativeness of committee chairs of the broader Caucus, would undoubtedly provoke controversy and dissension within the party (and cause significant headaches for party leaders). And of course, liberals were somewhat concerned about the possibility of provoking party switchers if they publicized member voting records.³¹

Nevertheless, liberals began distributing reports that summarized DSG's research findings on the role of legislative and party rules on members' power and policy goals almost immediately. In 1959, three months after the establishment of DSG, the group distributed a memorandum on "The Republican-Southern Democratic Coalition" that traced its impact on a wide range of policy areas from the New Deal era. The report argued that legislation on issues like education, civil rights, public works, taxation and others were continually stymied by the coalition, and analyzed several potential causal factors.³²

In subsequent years, DSG conducted piecemeal analyses of chairmen's voting records, and leadership reputations and style in the House, including those of District Chairman John McMillian (D-SC), and Rules Chairmen Howard Smith (D-VA) and William Colmer (D-MS).³³ This research was particularly important for junior members who had little to no contact with their own committee's chairman, let alone those of other committees. These efforts were

³¹ March 3, 1969 memo from Conlon to Fraser re proposed DSG voting study strategy. Part II, box 136, folder 11.

³² These factors included not only procedural roadblocks and the seniority system, but also the one-party system in the south, a lack of communication and unity of purpose within the Democratic party, "antiquated" apportionment formulas which over-represent rural interests, and the need to realign the party system. December 1959 Staff Memorandum, Part II, box 120, folder 7.

³³ For example, a December 1966 Background Paper on the Rules Committee analyzed Rep. William Colmer's (D-MS) voting record in anticipation of his ascension to the chairmanship. It noted that he voted against the "Democratic Party's program an average of 54% in the period 1961-66 inclusive. He voted in support of the Party position 18.16% in the same period." DSG Papers, Part II, box 125, folder 1.

eventually copied and modeled by liberal interest groups outside of Congress, including Common Cause, but DSG was the first to develop and disseminate these analyses.³⁴

In 1969, DSG Chairman Donald M. Fraser (D-MN) and new executive director Dick Conlon oversaw a significant expansion of research services for members, especially on procedural reform. Both were committed to developing quality, in-depth information services for members. As a former journalist, Conlon also strengthened DSG's relationships with local editorial boards, including *the Washington Post*.³⁵ Though Fraser was careful to avoid personal attacks against committee chairmen, the studies of the seniority system and committee chair voting records published during his tenure as chairman are arguably the most well-known and cited of the group's "educational job" (Rohde 1991; Schickler 2001).

Fraser initiated a two-part study of voting in the 89th, 90th, and other congresses, that categorized members' voting along four dimensions: Liberal-Conservative orientation, Administration support, support of Democratic Party Principles, and Party Unity. The report was damning in its assessment of committee chairmen's representation of their own districts, as well as the national Democratic Party. The worst-supporting chairmen not only represented constituents with the lowest level of income and education (and thus most in need of the legislation supported by liberals), but on the most important floor votes:

Chairmen "not only voted against the Democratic Administration, Democratic Party principles, and the majority of Democratic congressmen who gave them their coveted chairmanships, but were also *directly responsible* for the defeat of many Democratic programs and policies" (emphasis added).³⁶

³⁴ Common Cause Report on House Committee Chairmen, DSG Papers, Part II, box 122, folder 3. Although this study is undated, the earliest it could have been prepared and distributed is 1970 as Common Cause was not established until that year.

³⁵ In the 1970s, these papers regularly received DSG's research on congressional reform, and wrote opinion pieces emphasizing the linkage between procedure and policy.

³⁶ 1968 "Voting in the House" DSG Report. Part II, box 173, folder 1.

The study was strategically released to the press in order to garner additional attention for the relationship between the seniority system and the success of Democratic policies in Congress.³⁷ Liberal reformer and Rules Committee member Richard Bolling (D-MO) declared the study the “definitive illustration for the thesis that Southern Democrats in their capacity as committee chairmen and sub-committee chairmen, are not National Democrats.”³⁸

In addition to “bad voting” on the floor, DSG provided members with information on members’ voting in committee and on veto over-ride attempts, as well as their collective interest group ratings. All were published as *Special Reports*, which was DSG’s primary outlet for distributing “partisan” or “ideologically” driven information. Many full committee and subcommittee chairmen voted to sustain Republican vetoes from 1956 to 1975, directly against the expressed preferences of the majority of the House.³⁹ “DSG Democrats” were significantly more supportive of groups representing education, labor, senior citizens, rural/farm, and women’s interests than non-DSG Democrats.⁴⁰

Of course, liberal reformers were keenly aware that vote records arguably amounted to an ideological litmus test, which most members were opposed to instituting.⁴¹ Thus DSG distributed information not only on member voting records, but the implications of the seniority system and southern conservatives’ monopoly for the leadership opportunities available to junior members.

³⁷ March 3, 1969 memo from executive director Conlon to Fraser re proposed DSG voting study strategy. Part II, box 136, folder 11.

³⁸ It is important to note that while Bolling was sporadically aligned with DSG in the early to mid-1960s, he never served on DSG’s leadership and was not involved in the development of the vote study. March 11, 1969 letter from Bolling to the Editorial Page Editor of the St. Louis Dispatch. DSG Papers, Part II, 175, folder 7.

³⁹ The study also explicitly linked procedure and policy: “As a result, Democratic performance on the Farm Bill was the worst in two decades while party performance on Strip Mining was second worst.” June 23, 1975 Special Report (No. 94-7), “Veto Override Votes, 1956-1975,” DSG Papers, Part II, box 172, folder 4.

⁴⁰ July 25, 1975 Special Report No. 94-9 “Interest group Ratings and House Voting blocs”. 151:3.

⁴¹ Footnote to Party Support Findings, Report on Committee Chairmen. DSG Papers, Part II, box 173, folder 6.

In February 1971, DSG produced a report on House committee chairmen that explicitly linked junior members' own power goals to the adoption of seniority reforms. The report, entitled "Age and Tenure of House Committee Chairmen," provided concrete evidence that the seniority system produced chairmen who were not only unrepresentative ideologically of the Democratic Caucus, but also disproportionately far older than other members.⁴²

And on the eve of the historic Democratic Caucus organizing meeting in December 1974, DSG distributed a report categorizing chairmen based on their competence, misuse of power, and non-compliance with Caucus rules and bylaws. The report provided members with an easy heuristic with which to evaluate committee chairmen. Of the six chairmen targeted by DSG that year, four received direct challenges by the Democratic Caucus (three of which were ultimately successful).⁴³

The group disseminated information on the role of legislative and party rules for members' policy and power goals in other ways too. In the 1960s, executive committee members conducted radio and television interviews that linked the passage of specific policy goals to the structure of the Rules Committee – often to the ire of Rules Committee Chairman Howard Smith.⁴⁴ And DSG regularly held seminars for both members and their staff on parliamentary procedure. The policy and power implications of procedure were apparent in these sessions.

⁴² February 1, 1971 "Age and Tenure of House Committee Chairmen." DSG Papers, Part I, box 7, folder 4.

⁴³ DSG critiqued the competence of Patman and Madden; the misuse of power of Hebert, Hays, and Madden; the non-compliance with Caucus rules of Hebert, Hays, Teague and Mahon; and the voting record of Poage, Hebert and Teague.

⁴⁴ For example, after a 1960 radio appearance by DSG leaders, Reps. Frank Thompson (D-NJ) and Lee Metcalf (D-WY) [1960 Congressional Radio Program Text Address re Changes in the House Rules, Part I, box 54, folder 10], Smith publicly denounced the comments [Draft resolution denouncing criticism of Howard Smith, Chairman of the Rules Committee, for criticizing the radio address of member of DSG for discussion of rules reform, Part I, box 49, folder 5]. DSG also distributed sample responses that members could use during weekly radio program appearances. In 1959, for example executive director Bill Phillips sent a memo to members that encouraged members to link their own capacity to provide "major legislation for the benefit of your district" to their success making "more democratic the processes of the Rules Committee." February 27, 1959 memo from Phillips to Democrats re weekly radio programs, Part II, box 37, folder 1.

They included not only basic information on House rules, but also how legislative sponsors can overcome obstruction by relevant committee chairs and the Rules Committee, as well as how factions can petition the Rules Committee to receive different rules.⁴⁵

Record Teller Vote Challenges. Liberals' concerted effort to protect recorded teller votes on amendments underscores the critical role information plays in reducing uncertainty around the effects of specific procedural reforms, overcoming committee and leadership opposition, and persuading likely supporters. Though conservatives never mounted a significant, coordinated effort to overturn the procedural reforms adopted in the 1960s and 1970s, individual challenges such as these emerged every few years.⁴⁶

In 1970, liberals secured adoption of recorded teller votes on amendments in the Committee of the Whole. Historically, amendment votes were anonymous; the reform provided for recorded votes on demand of 20 members (or one-fifth of a quorum in the Committee of the Whole). It went into effect in 1971, and over the next several years, conservatives repeatedly criticized the procedure as over-used. In response, Fraser requested that DSG conduct a study to respond to these complaints:

“When I was on the floor the other day while we were having some teller votes, I overheard some comments suggesting that teller votes were too easy to get and were being used too much. This reaffirms my conviction that we need to do some studying of the teller program itself... Wouldn't an increase in the number required to secure a teller vote simply result in more quorum calls?”⁴⁷

DSG took Fraser's suggestion and released a report, “The First Year of Record Voting,” that analyzed the usage and effectiveness of recorded tellers.⁴⁸ The report responded to the “fears” of

⁴⁵ October 15, 1969 memo from executive director Conlon to Administrative and Legislative Assistants of DSG Members. DSG Papers, Part II, box 133, folder 1.

⁴⁶ The initial adoption of this reform will be discussed extensively in Part II of this chapter

⁴⁷ December 10, 1971 memo from Fraser to Conlon re recorded teller votes. Part II, box 131, folder 2.

⁴⁸ January 27, 1972 “The First Year of Record Teller Voting,” Part II, box 81, folder 1.

members that recorded tellers might evolve into a tool of obstruction similar to the Senate filibuster, and linked the adoption of the reform to members' policy goals. The report found that conservatives "won" about half of the 103 record teller votes, while a quarter represented liberal "wins"; the rest were mixed or neither. According to the report, the fact that a single "liberal amendment of any substance" succeeded in 1971 was a testament to the success of the procedure. And it provided ammunition for Fraser to defend the current procedure when the Caucus met a month later.⁴⁹ He succeeded and the 20-member threshold was maintained as the level of support necessary for a recorded teller vote.

Complaints of teller overuse continued through the summer of 1973. Speaker Carl Albert (D-OK), Rules Committee Chairman Ray J. Madden (D-IN), and conservatives proposed increasing the number of members necessary for a recorded teller to 44, or one-fifth of a quorum of the full House.⁵⁰ In response, DSG again sought to respond to the criticisms through the release of another *Special Report* entitled "Record Teller Votes in the 93rd Congress."⁵¹ The report provided further evidence that an increase in recorded tellers is not due to overuse of the procedure, but rather a significant increase in legislative activity during the same period. It again argued that an increase in the number of members required for a recorded teller would simply lead to more quorum calls.

The reports released by DSG proved critical when the issue came to the House floor on April 9, 1974. In its coverage of the debate, *Congressional Quarterly* recounted how DSG provided "figures showing that the increase in votes in 1973 was due mostly to demands for recorded votes on final passage of bills, not on amendments." Fraser testified before the Rules

⁴⁹ January 4, 1972 from Fraser to Teague. Part II, box 131, folder 4.

⁵⁰ Some proposed an even larger number, as high as 88.

⁵¹ July 10, 1973 Special Report. July 16, 1973 Supplement to DSG Special Report – Record Teller Votes in the 93rd Congress. DSG Papers, Part II, box 81, folder 1.

Committee, which held hearings on the issue, and provided additional evidence demonstrating that the recorded votes on amendments were “rather close,” and thus justifiable. Conservative Republican Del Clawson (R-CA) subsequently requested several copies of DSG’s reports, which he then shared with other Republicans.⁵² Though the *Special Reports* were geared towards a liberal audience, Clawson found DSG’s arguments and evidence about the underlying cause of increased recorded teller votes persuasive. The odd resulting coalition of conservative Republicans and staunch liberals elected to keep the 20-member level by a vote of 252-147. DSG’s information campaign overcame leadership and committee opposition, and brokered the Republican support necessary to succeed on the House floor.

Consensus Building

The third stage in group-driven procedural change in the House is the development of a consensus between members about the most appropriate, effective way to amend existing rules to achieve a given policy or power goal. Scholarly agreement that the emergence of new groups in Congress will precipitate (de)centralizing changes to the distribution of power (Rohde 1991) often obscures the fact that there are many varied ways that House and party rules can be adjusted. Ideological congruity does not necessarily translate into procedural congruity. The benefit of historical perspective renders the reforms adopted by the Democratic Caucus in the 1970s seemingly obvious; *of course* the party would adopt rules centralizing power as Democrats became more ideologically homogenous.

⁵² April 13, 1974, “Bipartisan Efforts to Retain House Voting Procedure Approved,” *Congressional Quarterly*. DSG Papers, Part II, box, 137, folder 7.

But there was no pre-established unity about the best way to alter leadership and committee power, or opportunities for member participation. Rather, liberals developed mechanisms through DSG to enable consensus building, including repeated debates and meetings of the group's members and leaders, and the dissemination of carefully worded questionnaires inquiring about member preferences. Membership meetings were timed to occur immediately prior to a Caucus meeting so that consensus did not dissipate, and liberals pushed for the party's organizing meeting to be permanently moved from January to November and December following the most recent election. The eventual consensus ensured that by the time a resolution came before the Democratic Caucus, liberals were already in agreement.⁵³ This was particularly important in the 1960s and 1970s for reasons both temporal and pragmatic.

Until 1974, the organizing meeting of the Democratic Caucus was held in January immediately prior to the opening of the new Congress (usually the day or two before the start of the session). Very little can be accomplished during a 1-2 hour meeting scheduled immediately prior to the appointment of committee members and leaders, or the day before members are expected to vote on a rules package on the House floor.⁵⁴ If party debate over a specific procedural reform is protracted, or if several resolutions are under consideration, the clock may simply run out. Prior to the establishment of regular party meetings in 1969, the one day organizing meeting was the only opportunity members had to debate and vote on specific procedural resolutions.

⁵³ At a 1981 Symposium on the U.S. Congress held in honor of former Speaker Tip O'Neill at Boston College, DSG executive director Conlon described the importance of the meetings for promoting the successful passage of the reforms: "Each of the various reforms was subjected to prolonged and deliberate discussion and debate in the DSG Executive Committee and at DSG membership meetings before being offered in the caucus to make sure they would work as intended and that they would not have undesirable side effects. As a result, virtually all of the major DSG reforms were approved as initially offered." DSG Papers, Part II, box 140, folder 10.

⁵⁴ The *Journal of the House Democratic Caucus* in the early 1960s documents the brevity of the meeting, as well as the strenuous avoidance of conflict.

And even if a House rules change was approved in the Caucus, liberals usually only had one day to ensure majority support when it came to the floor.⁵⁵ A resolution adopted with a simple majority of support in the Caucus does not constitute majority support on the House floor. And once organizing meetings were pushed back to December (and later November) after the election in 1974, liberals confronted a new problem – dissipation of support for reform in-between Caucus and House votes. A December 2nd, 1976 executive committee discussion about whether DSG should attempt to postpone Caucus consideration of the House rules package until January nicely illustrates the struggles reformers faced in maintaining their coalition once it was developed:

“[Rep. William] Brodhead [D-WI] proposes that S&P [Steering & Policy] report back to a caucus that meets on Sunday, January 4th...on the grounds that the rules being proposed – Appropriations riders and amendments and discharge petition – will provoke a great deal of controversy and competition from the Republicans and single issue groups. *There is fear that with nearly a month to get organized, if the rules are adopted now, a great amount of pressure will be brought to bear on conservative Democrats thus placing adoption of the House rules on January 5th in great jeopardy.* There is unanimous agreement that nothing could be more disastrous than if the rules adopted by the Caucus are not adopted by the House” (emphasis added).⁵⁶

The more time between Caucus and House votes on the rules package, the more time the opposition had to work to depress support for rules reform.

In the 1960s and 1970s, executive committee and membership meetings provided a crucial consensus-building forum for liberals. Prior to the introduction of regular party meetings, it was the only forum available to members and leaders to debate the relationship between existing rules and policy outcomes, as well as the intent and likely effects of various rules change proposals. For example, at a February 22, 1972 DSG membership meeting, members discussed their frustration over the Rules Committee’s “usurpation of the authority of legislative

⁵⁵ Party rules changes were not subject to an additional vote of approval on the House floor.

⁵⁶ December 2, 1976 executive committee meeting minutes. DSG Papers, Part II, box 24, folder 3.

committees...in the recent instance of dock strike legislation.” The members in attendance discussed several proposals to curb Rules’ power at the beginning of the 93rd Congress, including permitting the Speaker to initiate (with Caucus approval) rules to bypass the legislative committees altogether, and a suggestion that the Speaker nominate a new Rules Committee “each time around.”⁵⁷

Meetings also served as an opportunity to weigh broader strategic considerations against desired policy and power outcomes. For example, various proposals to reconstitute the Democratic Steering & Policy Committee with leadership appointees or Caucus-elected members were routinely evaluated based on whether they would “spread the action around” or “strengthen the leadership.”⁵⁸ It was often decided that the leadership had to be strengthened *before* proposals to ‘spread the action around’ could (or should) be adopted.

Executive committee and membership meetings were strategically timed to occur immediately prior to the Caucus organizing meetings to ensure that support did not dissipate because of counter-lobbying by the leadership, committee chairs, outside interests, or simply other members. For example, on December 3, 1964, the DSG executive committee met for two hours in Chairman John Blatnik’s (D-MN) office and discussed 20 caucus and House rule changes. It produced unanimous agreement on eight proposals, which were sent in a letter to all

⁵⁷ Of course, this rule – empowering the Speaker to nominate members of the Rules Committee – would eventually be passed in 1974 – over Speaker Carl Albert’s (D-OK) express objections. Feb 22, 1972 Meeting Minutes, DSG Papers, Part II, box 6, folder 6.

⁵⁸ January 31, 1973 Executive Committee Meeting Minutes, DSG Papers, Part II, box 24, folder 2: Executive committee members debated whether to support one of two proposals to reconstitute the Democratic Steering and Policy Committee. Each proposal was categorized according to whether it would “spread the action around” or “strengthen the leadership.” The committee eventually voted not for the individual proposals, but for whether S&P should be used as a tool of the leadership or as a tool of member participation. Similarly, DSG debated chairman Chet Holifield’s (D-CA) proposal to reconstitute S&P in 1963. While the goal of Holifield’s proposal was to “spread the action around,” the effort had to overcome incoming Speaker John McCormack’s (D-MA) concern that it “might be interpreted as a dilution of the authority of the Speaker and other party leaders.” March 16, 1962, “Background Article,” *Congressional Quarterly*, pg. 451, DSG Papers, Part II, box 163, folder 6.

DSG members and Democratic Members-Elect. On January 2nd, the “newly enlarged DSG” (strengthened by the 1964 election) met in the Longworth House Office Building to consider the slate of 8 reforms, including the critical 21-day rule:

“So many members poured in that a number were forced to stand throughout the 1 ½ hour session. More than 150 were present – enough to control that afternoon’s Democratic Caucus...One by one the proposals were agreed to” (Davidson and O’Leary 1966, 129).

The strategy of scheduling DSG meetings immediately prior to organizing meetings was so successful in cultivating unity that DSG began timing membership meetings to coincide with monthly Caucus meetings as well. When DSG Chairman Donald Fraser (D-MN) announced in 1969 that DSG would begin meeting on the Tuesday of the week preceding the monthly Caucus meeting, he noted that this practice would “allow DSG to prepare” for Caucus meetings.⁵⁹ One year later, Fraser employed a regular DSG membership meeting to prepare his Democratic Caucus resolution calling for a study of the seniority system – the study eventually became the Hansen Committee. The meeting helped Fraser to identify the best time to offer the resolution, as well as to amend the resolution text based on likely criticism. It was revised to remove language that could be interpreted as a condemnation of conservative committee chairs, and Fraser received support from members to offer it in March of 1970.⁶⁰ Both helped broker support for the resolution when it eventually came to a vote at the March 17th Caucus meeting.⁶¹

⁵⁹ January 14, 1969 meeting minutes, election meeting. Part II, box 6, folder 6.

⁶⁰ Fraser received support to offer the resolution despite concern that support would be suppressed by another resolution scheduled for the same day – Rep. Jerome Waldie’s (D-NY) vote of no confidence in Speaker John McCormack (D-MA). It was feared by some, including Rep. Richard Bolling (D-MO), that opposition to Waldie’s resolution would suppress support for the Caucus study by members wishing to make a strong show of support for the leadership. The revised resolution garnered additional co-sponsors and the support the leadership, including Majority Leader Carl Albert (D-OK), who eventually co-sponsored it. [“House Liberals Plan Strategy for Seniority Challenge,” CQ, 1970, February 27: 642-643. DSG Papers, Part II, box 163, folder 3]. See the section on committee leadership selection in chapter five for a longer discussion of the various drafts of the resolution.

⁶¹ Albert offered the resolution that was eventually adopted by the Caucus.

And of course, beginning in the mid-1960s, DSG also fought to extend, and later move up, Caucus deliberations. In 1964, as the DSG reform agenda – and the Democratic majority – expanded, the executive committee requested Speaker John McCormack (D-MA) hold a second party caucus to review committee assignments. McCormack agreed, and it set a new precedent for the length of the organizing Caucus (Davidson and O’Leary 1966). In 1970, DSG pushed Speaker McCormack to move up the organizing meeting to provide members with more time to address a lengthy agenda:

DSG Chairman Donald Fraser (D-MN) told new members-elect at the time: “We’re trying to persuade the leadership, I think they’re agreeable, that we ought to have the first Caucus two days ahead of the time the House actually meets and organizes, so that in case we need more than one Caucus we can have it in order to organize. We’ve got to fight on Majority Leadership, we’ve got to fight on other questions. Rather than try to compress all those decisions into one afternoon and one morning, we’d like to have two or three days in which to perhaps spread these decisions out.”⁶²

These efforts were initially unsuccessful. And at the 93rd organizing meeting, the Caucus simply ran out of time to consider the full package of rules reform proposals on the agenda.⁶³ But in 1974, DSG succeeded in pushing the organizing meeting from January to December. The extra time would prove to be critical as the Caucus deliberated for hours on challenges to four committee leadership nominations, and new rules realigning committee and leadership power.

In addition to the forums provided by in-person meetings, DSG developed and distributed “questionnaires” which polled members on their preferences and priorities on a wide range of potential procedural reforms in the House and the Caucus. The goal of the questionnaires was to identify those proposals that would garner a majority of support among “national” Democrats,

⁶² Transcript, 1970 DSG-Sponsored Seminar for Members-Elect, DSG Papers, Part II, box 28, folder 36.

⁶³ “The caucus did not have time to take up another important element in the reform package, proposals to limit committee secrecy, open up more bills to floor amendment and revive the moribund Democratic Steering Committee. Those ideas were expected to come up at the next caucus Feb. 1.” January 1973, “Seniority Rule: Change in Procedure, Not in Practice,” *Congressional Quarterly*, DSG Papers, Part II, box 163, folder 3.

and those that would not.⁶⁴ The content of questionnaires was often driven by debate in membership meetings. For example, at a January 14, 1969 DSG meeting, members discussed whether to challenge the seniority of Rep. John Rarick (D-LA) who endorsed George Wallace for president. The members present at the meeting supported the effort, and thus a “whip check” was employed to assess whether the effort had “a reasonable prospect of success.”⁶⁵ Shortly thereafter, DSG Chairman Donald M. Fraser (D-MN) introduced a resolution in the Caucus to strip Rarick of his seniority.⁶⁶ It was initially defeated by a narrow margin, but a month later, the Caucus voted 101-73 to deny Rarick his committee seniority.

Executive committee reform recommendations were also “guided by Members’ responses” to these surveys, imbuing them with legitimacy. DSG was careful to weigh poll numbers (which never captured the entire membership or Caucus) based on members’ region and seniority, and often distributed these results alongside its recommendations.⁶⁷ Surveys also helped DSG anticipate the lack of a consensus before proposals even came to a vote. For example, as members were strongly opposed to term limits on committee chairs, DSG never endorsed the proposal.⁶⁸ And while a 1977 survey revealed widespread consensus about the need

⁶⁴ The questionnaires were often structured so as to inform members as well. Questions might begin with a long lead-in describing a specific hurdle to liberal policy goals or leadership advancement, and then offer a series of proposals designed to address the problem.

⁶⁵ Meeting Minutes. DSG Papers, Part II, box 6, folder 6.

⁶⁶ As Rarick was only in his second term, he was not in line for a subcommittee or committee chairmanship. Fraser’s resolution was intended as a symbolic move to again put members on notice that they could not actively campaign for a member of another party.

⁶⁷ This was highly unusual at the time and helps explain why DSG proposals were more successful than other groups. For example, a December 1972 Common Cause survey of members concluded that members favored the Republican proposal of selecting committee chairs via automatic, secret ballot from among the three most senior committee members [DSG Papers, Part II, box 125, folder 3]. The Democratic Caucus never seriously considered this proposal and members never voted on it. For examples of DSG reform agenda, see: September 23, 1980 Memo from DSG Chairman Dave Obey (D-WI) to Members Re Reform Survey, Part II, box 139, folder 1. September 25, 1976 memo from DSG Chairman Bob Eckhardt (D-TX) to Members Re Reform Proposals. Part II, box 133, folder 4. July 26, 1984 Memo from DSG Chairman Matt McHugh (D-NY) to Members Re 99th Congress Rules Changes, Part II, box 139, folder 2.

⁶⁸ October 3, 1978 Memo from DSG Chairman Abner Mikva (D-IL) to DSG Members re Proposed Rules and Procedural Changes. DSG Papers, Part II, box 131, folder 4.

for advance notice of amendments considered on the floor, support for specific proposals broke down.⁶⁹ Liberals did not endorse a proposal until they brokered consensus around a specific plan. Questionnaires also strengthened DSG's hand in negotiating with the leadership as well; liberal leaders could point to specific support levels for a given rules change to help garner leadership support.

Challenging Rep. William Colmer's (D-MS) Seniority. Liberals' challenge against Rep. William Colmer's (D-MS) accession as chairman of the Rules Committee in 1967 provides a nice illustration of how the consensus building activities conducted by DSG shaped group decision-making and strategy, and ultimately enabled the adoption of a specific (and largely overlooked) procedural reform – regular meetings of the Rules Committee.

In 1967, liberals saw Rules Committee Chairman Howard Smith's (D-VA) retirement from the House as an opportunity to check the committee's conservative tilt.⁷⁰ The expansion of the committee from 12 to 15 members had given liberals a slim, one-seat majority, which did not conclusively prevent conservative obstructionism. Moreover, the 1966 election had decimated DSG's ranks and reformers were concerned about prospects for liberal legislation in the 90th Congress.⁷¹

In December 1966, DSG distributed a report entitled, "The House Rules Committee – Its History and a Creative Proposal for the Future" to members. The report analyzed the impact of the "conservative coalition" on "legislation aimed at the problems of America in the mid-20th

⁶⁹ June 15, 1977 Memo from DSG Chairman Abner Mikva (D-IL) to DSG Members re Survey Regarding Possible New Rule on Advance Notice of Floor Amendments. DSG Papers, Part II, box 151, folder 4. July 11, 1977 Dear Colleague letter from Mikva. Part II, box 50, folder 3.

⁷⁰ Smith was defeated in the Democratic primary by a liberal challenger, who ultimately lost to a Republican opponent.

⁷¹ Of the 47 Democrats who lost their seats in the 1966 election, at least 35 of them were DSG members. Farmer, John J. 1966. "Bid to Republicans," *Newark News*. December 1. DSG Papers, Part II, box 129, folder 9.

century,” and recommended bypassing top-ranking William Colmer for second-ranking Ray J. Madden (who was more supportive of liberals’ policy goals). The report informed members about the need to rein in the Rules Committee, and both Colmer and Madden’s voting records.

Shortly thereafter, DSG conducted a survey of members’ opinions on three separate courses of action: 1) a motion directing the Committee-on-Committees to name the majority leader to the Rules Committee and designate him as chairman; 2) a motion directing the Committee-on-Committees to designate Ray Madden rather than Bill Colmer as chairman; or 3) action to assure the appointment of 2 “progressive Democrats” to the Rules vacancies.⁷² 70 members responded to the survey.⁷³ Members were asked their preferences on all three proposals: 51 favored designating the majority leader as the Rules Committee chairman; 28 favored bypassing Colmer’s seniority and designating Madden as chairman; and 59 were in favor of ensuring that two progressive Democrats were appointed to fill the vacancies on the committee.⁷⁴

The survey responses drove the executive committee to shift its position. On December 11th, DSG Chairman Frank Thompson (D-NJ) proposed that the majority and minority leaders (Democrat and Republican) be named to fill the top two posts on the Rules Committee. The majority leader – Rep. Carl Albert (D-OK) – would serve as committee chairman. The proposal, which would have given the GOP another seat on the Rules Committee, was structured to garner Minority Leader Gerald Ford’s (D-MI) support. When Ford rejected the proposal out of hand, DSG initially returned to its proposal to designate Madden as chairman.⁷⁵

⁷² Questionnaire on Rules Committee. DSG Papers, Part II, box 28, folder 9.

⁷³ 20 members responded anonymously; the rest included their name with their responses.

⁷⁴ A plurality of members (42) favored designating the majority leader as Rules Committee chairman if forced to choose between following only one course of action.

⁷⁵ Former DSG Chairman Chet Holifield (D-CA) planned to introduce a resolution in the Caucus to designate Ray Madden (D-IN) rather than William Colmer (D-MS) as Rules Committee Chairman. Walsh,

At a subsequent DSG membership meeting, a motion to bypass Colmer and designate Madden passed 42 to 25 – well short of the support necessary to be successful on the Caucus floor.⁷⁶ Rather than force a failed vote on the Caucus floor, DSG again adjusted their strategy. The group's questionnaire and meeting results provided the leverage necessary for Speaker John McCormack (D-MA) to negotiate with Colmer to extract greater control over the Rules Committee. Although liberals may have been split on how best to reform the Rules Committee, the survey provided tangible evidence that *all* liberals favored a more liberal and/or leadership-driven committee.

In exchange for McCormack's (D-MA) support for his chairmanship, Colmer promised to introduce regular meetings of the Rules Committee.⁷⁷ This was a significant win for liberals (although it was covered in the press as a failure).⁷⁸ Howard Smith (D-VA) used his position as chairman to simply refuse to call a meeting of the Rules Committee. Absent committee meetings, Smith could not report a rule. He was also known to call a meeting when he knew a liberal committee member was out of town and unavailable for the vote.⁷⁹ As the Rules Committee does not allow proxy voting, this tactic helped eliminate liberals' slim one-seat majority. The institution of regular meetings of the Rules Committee ensured that a bill would not fail simply

Robert K. 1967. "Disciplining Drive Focuses on Powell's Chairmanship." *Sunday Star*. January 8. DSG Papers, Part II, 129, folder 9.

⁷⁶ Lyons, Richard L. 1967. "Rep. Powell flies back for fight." *Washington Post*. January 9. DSG Papers, Part II, box 129, folder 9. 1967. "Powell is Ousted as Committee Chairman; Move seen today to block seating in House." *Wall Street Journal*. January 10. Part II, box 158, folder 3.

⁷⁷ Lardner Jr., George. 1967, "McCormack for Seating Rep. Powell," *Washington Post*, January 5. Part II, box 129, folder 9.

⁷⁸ At the same time as the Colmer fight, liberals organized to deprive Rep. Adam Clayton Powell (D-NY) of his chairmanship of the Education & Labor Committee as a result of accusations that he mismanaged committee funds. Both press attention and liberal energies were divided between the two efforts. Powell was indeed forced to give up his chairmanship, and second-ranking Rep. Carl Perkins (D-KY) assumed the post.

⁷⁹ The absence of regular meetings made it difficult for members to plan their schedules to ensure they were present for committee votes.

because the chairman claimed his presence was needed elsewhere, and encouraged the participation of all committee members in Rules deliberations.⁸⁰

Two years later, the group again leveraged its opposition to Colmer to achieve the institution of regular party meetings when Congress is in session – another historic innovation (Rohde 1991). Speaker McCormack agreed in exchange for liberals’ promise that they would not challenge Colmer’s seniority on the Caucus floor.

While it is difficult to evaluate the counterfactual, it seems unlikely that McCormack would have been able to broker the concession from Colmer on his own. As the *Wall Street Journal* noted in its coverage of the impasse in 1967, “the liberal forces, headed by [DSG Chairman] Reps. Thompson (D., N.J.) and O’Hara (D., Mich.), appear *much better organized* than the Speaker’s camp” (emphasis added).⁸¹ Their success is especially remarkable given the declining bargaining position liberals found themselves in after the 1966 election. Despite their shrunken vote bloc, DSG provided reform leaders with the resources and tools necessary to mount a successful procedural fight against conservatives.⁸²

Mobilize Allies to Participate

The assumption underlying most theories of congressional reform is that ideological vote blocs will actually show up and vote in favor of (de)centralizing changes to rules and procedures

⁸⁰ Smith, for example, often claimed he was needed back home on his Virginia farm. In 1957, he claimed a barn fire on his farm required his attention during consideration of a civil rights bill. Speaker Sam Rayburn’s (D-TX) response to this “excuse” has been memorialized in congressional folklore: “I knew Howard Smith would do most anything to block a civil rights bill, but I never knew he would resort to arson” (Whalen Jr. 1984).

⁸¹ Jan 9, 1967, *Wall Street Journal*, “Liberal House Democrats Will Push Today to Depose Powell and Colmer as Chairman.” DSG Papers, Part II, box 158, folder 3.

⁸² It is important to note here that the decline in DSG’s membership (as a result of the election) was a significant factor in the loss of the 21-day rule in 1967.

(Rohde 1991; Schickler 2001; Schickler, Sides and McGhee 2003). Thus, it may seem somewhat nonsensical to explicitly specify that a necessary component of the adoption of procedural reform is the actual participation of members in the vote. *Of course* members have to participate in order for any legislative or procedural reforms to be adopted. However, the low salience of legislative procedure for members and their constituents renders this stage a significant hurdle for groups. Member attendance in party organizing meetings is not required (and drops off propitiously after leadership races are dispensed), their votes are not publicized, and their participation (or lack thereof) will never become a campaign issue in their re-election.⁸³

Mobilizing busy members with multiple, competing demands on their time to show up to seemingly arcane party and House floor debates over parliamentary rules and procedure is not an easy task. It was arguably the most significant hurdle faced by liberals in the 1960s and 1970s. In many, though certainly not all, cases, participation in rules debates often meant rank and file members were forced to take a very public stand against committee, and even party, leaders. This was especially risky for one or two-term members unsure of the outcome or the potential ramifications of a failed vote. Liberals in DSG mobilized their natural ideological allies to show up and participate by ‘activating’ groups outside of Congress to pressure members, holding orientation sessions to foster the participation of incoming freshmen, and triggering the group’s whip system to alert members when their presence was needed on the floor.

In the 1960s and 1970s, DSG regularly reached out to the press, interest groups, and even members’ own constituents, about the need for congressional reform. The goal was to activate these groups to exert pressure on members to show up and participate when these issues came to a vote. For example, executive committee members might sit for a radio interview and argue that

⁸³ Many rules reforms considered on the House floor also remained relatively low in salience, particularly at the crucial amending stage in the 1960s.

Democrats needed to band together and challenge the Rules Committee's "usurpation" of power "not given to them under their statutory jurisdictional provisions."⁸⁴ Interest group and labor unions were regularly invited to DSG executive committee or task force meetings when a reform vote was on the horizon, and the groups' newsletters regularly published excerpts from DSG's research publications, as well as the group's reform agenda.⁸⁵ These newsletters often encouraged their members to support these efforts by pressuring their member of Congress to support the effort. DSG gained access to the mailing lists of several liberal groups in the 1960s and 1970s, and employed them to solicit campaign donations as well as support for the group's reform effort in Congress. These groups include the Anti-Moral Majority, the National Committee for an Effective Congress, the Southern Poverty Law Center, Americans for Democratic Action, as well as several smaller groups such as the Union of Concerned Scientists and Progressive Prospects.⁸⁶

In addition, DSG strategically reached out to non-incumbent Democratic candidates who had yet to participate in a debate or vote on legislative or party rules. Once they were elected to the House, the freshmen were invited to a new member orientation where they were encouraged to be present and active in the Democratic Caucus. Given that the Democratic leadership did not begin offering their own orientation session until December 1976, this gave liberals a crucial mobilizing advantage.⁸⁷ DSG briefed the incoming freshmen on the anticipated timing of key

⁸⁴ February 10, 1963 Radio Interview with DSG Chairman Chet Holifield (D-CA) on WMCA New York City. Part II, box 124, folder 13.

⁸⁵ 1960 National Committee for an Effective Congress newsletter. Part II, box 124, folder 11; June 29, 1970 Steelworkers Legislative Newsletter, Part II, box 129, folder. This newsletter encloses several DSG reports in totum. These efforts continued in the 1980s as well: a June 21, 1985 United Auto Workers newsletter printed a photo of the front cover of DSG's report on tax reform.

⁸⁶ "List of Groups," DSG Papers, Part II, box 16, folder 5.

⁸⁷ In an August 5, 1976 letter from DCCC Chairman James Corman (D-CA) to Dick Conlon re the upcoming Democratic party orientation sessions, he wrote "This will be the first effort by the Democratic Party orientation in the House to organize comprehensive briefing sessions for new Members, and I know that you share with me, the Speaker and the Majority Leader the desire that our program be well considered and as complete and useful as possible" (DSG Papers, Part II, box 133, folder 4).

votes, and the importance of their attendance on the floor.⁸⁸ At key intervals, DSG's orientation session also served as a rules enforcement tool. For example, in 1974, the orientation provided a forum for freshmen to interview committee chairs on the eve of a historic overthrow of three chairmen.⁸⁹

And of course, when a vote on the House floor or within the Democratic Caucus was imminent, DSG often activated the group's whip system to promote members' attendance. This was especially important in the Democratic Caucus where the party struggled to obtain a quorum to even consider reforms throughout the 1970s.⁹⁰ During the first year of party meetings, the average member attended fewer than half of the Caucus meetings (41%).⁹¹ In 1961, the whip system was used to help build a coalition in support of the expansion of the Rules Committee – a close vote that passed 217-212. Whip calls were used to mobilize members to participate in DSG membership meetings when liberals wanted to prepare for a Caucus meeting.⁹² In the Caucus's early days, DSG whips were also used to mobilize members to participate in votes as they came up. For example, during the January and February 1971 organizing meetings, DSG initiated whip calls to mobilize members for votes on the 21-day rule, for nominations on Ways & Means vacancies, and a challenge to District Chairman John McMillan (D-SC).⁹³

⁸⁸ Transcript, December 1970, DSG Papers, Part II, box 96, folder 13. While DSG held their orientation session every 2 years, unfortunately only one transcript of the sessions appears to have survived in the archival record.

⁸⁹ As Rep. George Miller (D-CA), a freshman in the 94th Congress, recounted, "the only reason freshman saw them is that DSG put the interviews on their orientation schedule." December 5, 1990 executive committee meeting minutes. DSG Papers, Part II, box 8, folder 8.

⁹⁰ Caucus quorums were especially problematic under Caucus Chairmen Phil Burton (D-CA) and Thomas Foley (D-WA). Malbin, Michael J. 1981. "Remember the Caucus." *National Journal*. September 21: 1642. DSG Papers, Part II, box 135, folder 5.

⁹¹ December 16, 1970 letter from Caucus Chairman Dan Rostenkowski (D-IL) to Democrats. Part II, box 136, folder 11.

⁹² For example, a December 28, 1970 whip call notified members that a membership meeting was planned for the next day at 4pm "to discuss January's Democratic Caucus." Again, (on January 15) in 1971, DSG mobilized members to attend the "pre-caucus DSG membership meeting [that day] at 3pm." Part I, box 71, folder 2.

⁹³ DSG Papers, Part II, box 71, folder 3.

Election of the Democratic Whip. The repeated failure of liberals' proposal to transform the Democratic whip from an appointed to an elected position from the early 1970s through 1986 underscores the importance and difficulty of the mobilization stage. Party leaders control the Democratic Caucus agenda and the timing of party votes. Leaders opposed to reform can indirectly stymie group efforts simply by scheduling consideration of a measure when they know large numbers of members will be absent (Kingdon 1973). During party organizing meetings, attendance was often lowest in the afternoon. Groups may successfully lay the groundwork for adoption of procedural reform, but if members do not show up when they come to a vote, they will still fail.

The archival record on the election of the Democratic whip is comparatively sparse.⁹⁴ Nevertheless, it reveals not only repeated, unsuccessful attempts by liberals to elect the whip, as well as staunch opposition from party leaders. Caucus votes to democratize access to the whip position were either very close (separated by 5-10 members), or extremely lop-sided. And on key votes in January 1973 and December 1974, less than 60% of Democrats even participated in votes to democratize access to the lowest rung of the "leadership ladder." Liberals repeatedly failed to mobilize their natural ideological allies – and even their unnatural allies (see 1973 Udall motion below) – to show up and participate when "elect the whip" resolutions were on the agenda.

⁹⁴ Miscellaneous typed and handwritten note in the DSG papers however, reveal that liberals conducted research on the history of the whip position and developed arguments in favor of making the position elected [Proposal to Elect the Whip," DSG Papers, Part II, box 162, folder 1]. Among the evidence argued in support of an elected whip: Republicans themselves had an elected whip; the Democratic whip is the only major House position that is unelected (even the Doorkeeper and Sargent at Arms is elected); and it harms the legitimacy of future Speakers. And of course, like the seniority system, Democratic Caucus bylaws were silent on the selection of a party whip – the rules did not specify that the position should be appointed or elected. Indeed, party bylaws also did not specify how the Democratic candidate for Speaker or majority leader was to be chosen either.

DSG made their first resolution to elect the whip at the January 19th, 1971 Caucus organizing meeting.⁹⁵ However, the debate did not focus on the merits of the proposal, but rather accusations that majority leader-elect Hale Boggs (D-LA) – nominated in a heated 4-man race held the day prior – had made a “deal” with Wayne Hays (D-OH) that he would be appointed whip in exchange for his support in the majority leader race.⁹⁶ Rep. John Conyers (D-MI) moved that the amendment be tabled, which was agreed to by voice vote.⁹⁷

Liberals tried again at the January 1973 organizing meeting, but the leadership remained staunchly opposed and used their agenda control to push off consideration of the ‘elect the whip’ resolution to limit member participation. When the executive committee met with Speaker Albert to inform him of their “reform plans” in November immediately following the election, he said he would prefer to “put [them] over to [a] special caucus to be held within 1 or 2 weeks” after the organizing meeting.⁹⁸ They faced continual delays over the next several weeks. The leadership cancelled the January 10th caucus without explanation, refused to allow consideration of DSG’s reform proposals at the January 22-23 caucus (despite adherence to the advance notice requirements in party bylaws), and then adjourned the February 1st caucus meeting for lack of a quorum.

Finally, on February 21st, at the regular monthly caucus meeting, DSG executive committee member Mo Udall (D-AZ) received agenda space for his proposal to term limit,

⁹⁵ January 19, 1971 Meeting Transcript. A Caucus of the Democratic Member of the U.S. House of Representatives. Part II, box 136, folder 3.

⁹⁶ Hays had run for majority leader and withdrawn after the first ballot; he subsequently endorsed Boggs. He defended himself and said, “by no means would I accept it if it was appointive.” Speaker Carl Albert (D-OK) said, “The matter or the amendment have never been discussed with me. I know of no deals.” Boggs said, “In closing, I want to emphasize what the Speaker-elect said—there have been no deals.”

⁹⁷ Conyers likely offered this motion in an attempt to speed up Caucus consideration of his resolution to oppose the seating of the Mississippi delegation (see Part II).

⁹⁸ Timeline of leadership-DSG interactions at the beginning of the 93rd Congress, DSG Papers, Part II, box 137, folder 3.

though not elect, the whip position. Given the leadership's strong opposition, liberals knew they needed conservative support and carefully crafted their arguments to appeal to their interests as well. Udall said that southerners had "a special stake in this resolution" because "outside [interest] groups don't want [southerners] in key positions."⁹⁹ If the position was term limited, it would help southerners gain access to the leadership ladder.

But liberals failed to mobilize enough members to participate in the vote, and the leadership's strategy of delaying consideration of the resolution succeeded. Udall's measure failed 102 to 38 – only 58% of Democrats participated in the vote (just 19 members above a quorum).

In November 1974, DSG's executive committee again endorsed a resolution providing that the whip be elected at the start of the 95th Congress, and restricting the length of service to two consecutive terms.¹⁰⁰ And on January 4th, 1975, Rep. Ben Rosenthal (D-NY) offered both of DSG's proposals in the Caucus. Almost immediately, Tip O'Neill's (D-MA) opposition dominated the discussion. He likened an elected whip to "cutting off his arms" as majority leader:

"The issue of electing a Whip never came up until I was elected Majority Leader two years ago....They have never tried to cut the arms off anybody else the 20 years I have been here...I think it is wrong if you saddle the Majority Leader or the Speaker with a Whip who does not believe in the philosophy or policy of the top two men in this House. In my opinion, the Whip's job as an arm of the leadership, appointed by the Majority Leader with the approval of the Speaker. He does the bidding of the leadership, he is a means by which I communicate with you people....Let me direct my comments to the new Members of Congress...I appreciate the fact you want to do a good job. I say do not cut my arms off; do not give me a man who may not agree with my policies. I ask you to vote down both amendments."

⁹⁹ February 22, 1973, *Journal of the House Democratic Caucus*, Democratic Caucus, Part II, box 3, folder 34.

¹⁰⁰ November 26, 1974 memo from DSG Chairman Thomas Foley (D-WA) to Members re Caucus Proposals. DSG Papers, Part II, box 137, folder 8.

When the resolution came to a vote, 38 voted in favor of Rosenthal's motion, 132 against – the same level of support liberals garnered for Udall's proposal in 1973. Given O'Neill's staunch opposition, the result itself is less striking than the fact that – once again – only 58% of the Democratic Caucus participated in the vote. 121 members were absent. As they had in 1973, liberals failed to mobilize members to participate, and the leadership succeeded in delaying the vote until the end of the day.¹⁰¹

As all Caucus votes are unrecorded, it is not possible to examine whether incoming freshmen or liberals were less likely to show up and participate than other members. Nevertheless, the under-participation of Democrats during the vote reveals a significant mobilization problem unexplained by existing theories of institutional change. The 94th Congress was a high point for liberals, and the Watergate Babies were eager to make congressional leaders more accountable to rank and file members. Procedural reform was arguably never more salient, both temporally and institutionally.¹⁰² The transition to an elected whip position was a natural extension of DSG's efforts to increase the power of the Democratic Caucus. And member surveys during the era demonstrate overwhelming support for the transition to an elected whip, and it should have garnered staunch support among Watergate Babies keen to check leadership power.¹⁰³

The sparse archival record on the early whip resolutions makes it difficult to conclude whether liberals tried and failed to mobilize members, or whether they simply did not consider

¹⁰¹ Unfortunately, the *Journal* does not document the time the vote was taken.

¹⁰² Party organizing caucuses are a natural point of rules reflection, and newspapers, interest groups, and the public emphasized congressional and government reform in the 1974 campaign perhaps more than any other issue.

¹⁰³ I have not located the survey results from 1974, however a 1978 survey of members found that 64% of Democrats approved of electing the whip (October 3, 1978 memo from DSG Chairman Abner Mikva (D-IL) to Members re Proposed Rules Changes, Part II, box 133, folder 4).

the necessity of making sure members showed up.¹⁰⁴ But DSG's repeated failures to democratize access to the lowest rung on the leadership ladder underscore the importance of mobilization over and above group size and ideological strength. Liberals did not fail because there were not enough of their natural allies in Congress, nor did they fail because a majority of members were opposed to an elected whip. They failed because DSG did not mobilize rank and file members to show up to the vote. The proposal to elect the whip would ultimately not be adopted until 1984 upon Speaker Tip O'Neill's (D-MA) retirement from the House (O'Neill remained opposed, but did not contest it). It went into effect the following Congress.

No amount of careful study or strong leadership can replace a successful record of accomplishment. Ultimately, group-driven processes of agenda-setting and coalition building are only meaningful if they lead to procedural change in Congress. I now turn to an evaluation of DSG's procedural reform agenda.

Part II:

Evaluating the Liberal Procedural Reform Agenda

The archival record and interviews with former and current congressional staffers reveal that liberal reformers carefully employed the organization of DSG to help develop and pursue a series of procedural reforms in the 1960s and 1970s. This section examines the "outcome" of these efforts, or the "success" or "failure" of the specific procedural reforms proposed by the group. Prior research has examined the considerable influence of the homogenization of the House Democratic Caucus (Rohde 1991), strategic coalitions between multiple interests (Schickler 2001), outside interests (Wright 2000; Zelizer 2004) and members' own ambition and

¹⁰⁴ It seems unlikely that DSG leaders were unaware of liberals' attendance problem given the group's careful cultivation of a whip system. The archival record also does not reveal outreach to, or interest by, the press or interest groups in the resolution.

self-interest (Schickler, Sides and McGhee 2003) in driving the adoption of the 1970s reforms. Here I evaluate a third mechanism of procedural change – group organization.

Data & Methods. In order to assess the relationship between group organization and agenda, I evaluated the adoption of each of DSG’s rule and procedural reform proposals from 1959 to 1976 (the “reform era”). As it is difficult to assess the success or failure of proposals that were not subject to a formal vote, I analyze *only* those procedural reforms and enforcements that were subject to a formal vote in the House Democratic Caucus, or on the House floor.¹⁰⁵ While this does pose a selection bias problem, the effect is to magnify the influence of group size.¹⁰⁶ Moreover, given that the leadership strategically timed – but did not prevent – votes on many DSG-authored reforms, a vote on the proposal does not pre-determine support for the proposal itself (and thus the likelihood of passage).

DSG’s procedural reform agenda was identified via Dear Colleague letters and memos distributed by the DSG Chairman at the start of each Congress, and confirmed via the record of debate and votes documented in the Journal of the House Democratic Caucus. Both the DSG and House Democratic Caucus papers are stored at the Library of Congress. I evaluated the success or failure of each proposal (the outcome of interest) through *Congressional Quarterly’s* coverage of rules debates at the beginning of each Congress, and through record votes recorded in the Journal of the House Democratic Caucus (available at the Library of Congress).

One could write an entire dissertation tracing the consideration and adoption of each and every reform adopted by Democrats in the 1960s and 1970s. In the interest of brevity, I analyze

¹⁰⁵ For example, DSG’s procedural reform agenda in 1971 included an item reading “declare all Speaker appointed positions vacant.” Unfortunately, as this reform was not subject to a formal vote, it is impossible to determine whether it was “adopted” or “not adopted.” Technically, all Speaker appointed positions are vacant at the start of each congress and constituted anew.

¹⁰⁶ The success of a vote is ultimately based on numerical support or opposition to a proposal.

two illustrative case studies – the reforms proposed by DSG’s 1969-1970 and 1992-1993 task forces on congressional reform. Here I selected on the dependent variable: the 1969-1970 task force was successful in its major goal (co-opting the 1970 Legislative Reorganization Act as a reform vehicle), while the 1992-1993 effort failed in its primary goal (the creation of an agenda-setting body within the Democratic Caucus). If the same organizational features and process stages are identified in both cases, then it seems unlikely that organization empowers groups to pursue procedural reform as outlined here (Jarl, Andersson and Blossing 2017).

If organization promotes action as proposed here, then I expect liberal reform leaders to be incredibly successful at forcing adoption of DSG’s procedural reform agenda. If group size (rather than group organization) promotes action as suggested in existing theories, then I expect DSG to be successful when the group constitutes a majority of the Democratic Caucus (or during the 89th, 91st and 92nd Congresses, see Figure 3.1).

Table 6.1: DSG-Proposed Reforms to Floor Procedures, Committee Structure, and the Legislative Schedule

| Congress | Description | Adopted |
|------------------------------|---|-----------------------|
| 86 th : 1959-1960 | 1.Amend Rules to Provide for 21-day rule | Jan 1965 |
| | 2.Expand Rules Committee by 1 Member | Jan 1961 |
| | 3.Decrease Signatories for Discharge Petition | Not adopted |
| 87 th : 1961-1962 | 1.Temporary Expansion of Rules Committee from 12 to 15 Members | Jan 1961 |
| 88 th : 1963-1964 | 1.Make Permanent Rules Committee Expansion | Jan 1963 |
| 89 th : 1965-1965 | 1.Amend Rules to Provide 21-day rule | Jan 1965 |
| | 2.Amend House rules to provide for privileged motion to send to conference | Jan 1965 |
| 91 st : 1969-1970 | 1.Guaranteed Summer Recess | Oct 1970 ⁺ |
| | 2.Install modern procedures for conduct of House floor business (e.g. electronic voting) (Price, Nedzi) | Oct 1970 ⁺ |
| 92 nd : 1971-1973 | 1.Amend House rules to give DC Delegate committee voting rights | 1971-1973 |
| | 2.Amend Rules to Provide for 21-day rule | Not adopted |
| 93 rd : 1973-1975 | 1.Provide that committee meetings are open unless separate vote taken to close meeting | Feb 1973 |
| 94 th : 1975-1977 | 1.Enlarge Ways & Means Committee from 25 to 37 | Dec 1974/Jan 1975 |
| | 2.Two-One Majority on Ways & Means, Appropriations, and Budget Committees | Dec 1974/Jan 1975 |
| | 3.Open committee rule extended to House-Senate Conference | Dec 1974/Jan 1975 |
| | 4.Provide that committees must vote at the start of each meeting to close | Dec 1974/Jan 1975 |
| | 5.Permit proxy voting in committees | Dec 1974/Jan 1975 |

Source: DSG Papers, Library of Congress, Washington, D.C.

⁺Both were adopted as provisions of the 1970 Legislative Reorganization Act

Note: Data on rules change adoptions collected from Congressional Quarterly. No relevant rules proposals offered in 90th Congress.

| Table 6.2: DSG-Proposed Reforms to the Power & Function of the House Democratic Caucus | | |
|--|--|-----------------------|
| Congress | Description | Adopted |
| 86 th : 1959-1960 | 1.Regular meetings of the Democratic Caucus | Jan 1969 |
| 87 th : 1961-1962 | 1.Revive the Democratic Steering & Policy Committee | Feb 1962 |
| 88 th : 1963-1964 | 1.Reconstitute the Democratic Steering & Policy Committee (Holifield) | Jan 1963 |
| 89 th : 1965-1966 | 1.Caucus approval of Democratic Committee assignments | Not adopted |
| | 2.Establish Democratic Steering & Policy Committee (Holifield) | Jan 1965 |
| 91 st : 1969-1970 | 1.Regular meetings of the Democratic Caucus (Fraser) | Jan 1969 |
| | 2.Right of members to contribute to Democratic Caucus agenda with notice (Fraser) | Jan 1969 |
| | 3.Create Democratic Caucus Committee to Study Seniority System (Fraser, later Albert) | Mar 1970 |
| 92 nd : 1971-1973 | 1.Constitute Steering & Policy Committee (Fraser) | 1971 |
| | 2.Instruct Hansen Committee to study changes in Committee-on-Committees | 1971 [^] |
| | 3.Elect the whip | 1984 |
| 93 rd : 1973-1975 | 1.Create Steering & Policy Committee | Jan 1973 |
| | 2.Provide for 50 or more Democrats to petition to offer an amendment on legislation (Burton) | Feb 1973 |
| | 3Automatic vote on committee chairmen without demand on a single master ballot | Jan 1973 |
| | 4.Record votes taken in Democratic Caucus (Matsunaga) | Jan 1973 |
| | 5.Term limit the offices of the whip, Caucus officers, and DCCC chairman (Udall) | Jan 1973 ⁺ |
| 94 th : 1975-1977 | 1.Shift Committee on Committees from Ways & Means to Steering & Policy | Dec 1974/Jan 1975 |
| | 2.Establish Caucus votes on Appropriations subcommittee chairmen | Dec 1974/Jan 1975 |
| | 3.Repeal Caucus Rule R8 [#] | 1975 |
| | 4.Empower Speaker to appoint Rules Committee members | Dec 1974/Jan 1975 |
| | 5.Elect the whip (Rosenthal) | 1984 |
| | 6.Establish subcommittee bidding procedure (Obey) | 1975 |
| Source: DSG Papers, Library of Congress, Washington, D.C. | | |
| Note: Data on rules change adoptions collected from Congressional Quarterly and the Journal of the House Democratic Caucus. No Caucus rules changes were proposed during the 90 th Congress. | | |
| ⁺ Only term limits on Caucus officers and DCCC chair were approved. | | |
| [#] Rule R8 provided that a vote of two-thirds of the Democratic Caucus could bind the vote of Democratic members on the House floor. It was infamously applied in 1971 to require Democrats to abolish the one-third guaranteed minority staffing level adopted as part of the 1970 LRA. | | |
| [^] This resolution resulted in a Hansen Committee proposal to add the Speaker to the Committee on Committees, which was later adopted by the Caucus. | | |

The DSG Procedural Agenda. DSG leaders proposed two types of procedural reforms in Congress – (1) reforms addressing floor procedure, committee structure, and the legislative

schedule in the House, and (2) reforms shaping the power and role of the House Democratic Caucus. Table 6.1 presents data on the first set of reform proposals; Table 6.2 presents data on the second set.¹⁰⁷ When available from the archival record, I have included the name of the member who offered the proposal in the Democratic Caucus.

The DSG executive committee developed and endorsed 16 proposals targeting House floor procedures, committee structure, and the legislative schedule. 14 of the proposals were adopted, nearly all shortly after DSG publicly announced the group's agenda. Most of these proposals, including the expansion of the Rules and Ways & Means Committees, party ratio guarantees, and restrictions on closed committee hearings were designed to increase liberal participation in, and representation on, committees. They represent some of the most important changes in the House in the twentieth century, and nearly all had a significant impact on policy-making, member participation, and legislative transparency.

The executive committee developed and endorsed 25 proposals targeting the power and function of the House Democratic Caucus. Again, nearly all of the proposals were adopted. Some of these proposals, including the various iterations of the Steering & Policy Committee, were adopted but not necessarily implemented as intended. However, these proposals remain some of the most important reforms to emerge from the Democratic Caucus in the reform era, including the institution of regular party meetings, and automatic votes (without demand) on committee chairmen. Opportunities for member participation in party business and leadership selection increased significantly as a result.

The small sample size renders robust statistical analyses problematic, but I did not identify any relationship between group size and agenda adoption. Indeed, some of the most

¹⁰⁷ Unfortunately, the *Journal of the House Democratic Caucus* is often deliberately vague in its record of debates, resolutions offered, and votes cast.

important agenda items were adopted when DSG constituted less than a majority of Democrats (including in the 94th Congress). Collectively, the data suggest that group size affected agenda *scope*, rather than agenda *adoption* (as some theories suggest). As the number of liberals in Congress and DSG's membership increased, liberal reformers grew more confident and offered a larger number of proposals designed to alter power and policymaking processes in Congress. While it is unsurprising that reform proposals reached their peak in the 94th Congress, the group's agenda increased in the 89th, 91st, and 92nd congresses when DSG's membership represented a majority (however slim) of Democrats.¹⁰⁸

Table 6.3: DSG-Led Democratic Seniority Challenges

| Congress | Description | Approved |
|------------------------------|--|--------------|
| 89 th : 1965-1965 | 1.Strip Rep. John Bell Williams's Seniority (Blatnik) | Jan 1965 |
| | 2.Strip Albert W. Watson's (D-SC) Seniority (Blatnik) | Jan 1965 |
| 90 th : 1967-1968 | 1.Remove Rep. Adam Clayton Powell (D-NY) as Education & Labor Committee Chairman (Udall) | Jan 1967 |
| | 2.Oppose Restoration of Rep. John Bell Williams's (D-MS) Seniority | Jan 1967 |
| 91 st : 1969-1970 | 1.Strip Rep. John Rarick's (D-LA) Seniority (Fraser) | Mar 1969 |
| 92 nd : 1971-1973 | 1.Remove John McMillan (D-SC) as District Chairman (Fraser) | Not approved |
| | 2.Oppose seating of Mississippi Delegation (Conyers) | Not approved |

Source: DSG Papers, Library of Congress, Washington, D.C.

Note: Table only includes those challenges that were brought to a vote on the floor of the House Democratic Caucus.

Agenda-setting Beyond DSG. Any assessment of DSG agenda-setting on House procedure in the Democratic Caucus should provide a denominator, or place the number and effectiveness of the group's proposals within the context of efforts by other members. DSG may have been successful at spurring adoption of their procedural reforms, but if other Democrats – or groups of other Democrats – were just as successful as liberals in DSG, then group organization likely holds less weight. And indeed, the magnitude of DSG's agenda success in the 1960s and

¹⁰⁸ DSG comprised 55, 52, and 54 percent of the Democratic Caucus during the 89th, 91st, and 92nd Congresses.

early 1970s belies an interesting, but significant fact – from 1959 to 1973, the *Journal of the House Democratic Caucus* reveals that other Democrats offered a sum total of 3 procedural reform proposals.

In the 88th Congress, the Caucus voted to approve a relatively insignificant resolution to curb congressional junkets, or member trips abroad. And in the 92nd Congress, Rep. Chet Holifield (D-CA) offered a resolution neither endorsed nor opposed by DSG to delete a provision of the 1970 Legislative Reorganization Act guaranteeing the minority one-third of committee staff.¹⁰⁹ Many Democrats charged that this was akin to public financing of partisan, political “hacks.” Neither of these proposals had any notable influence on opportunities for (majority party) member participation in the legislative process or party business. In 1971, a package of reforms was offered by the Hansen Committee. However, these were not the proposals of any one individual or group, and the panel itself was leadership appointed, which included three DSG chairmen.¹¹⁰

The failure of other Democrats outside of the Hansen Committee to develop and offer major reform proposals in the 1960s is not surprising given that no other group of Democrats organized until 1971 (with the establishment of the Congressional Black Caucus or CBC). If organization promotes action, then other Democrats should have been poorly equipped to develop and offer procedural reforms on the Democratic Caucus floor. Indeed, if other Democrats had

¹⁰⁹ This vote is notable because it bound Democrats to vote on the House floor.

¹¹⁰ Of course, several of these proposals were actually drafted by DSG (not surprising given that Rep. Hansen was not granted any staff support for the project and was forced to rely on the part-time assistance provided by a staffer in her personal office). And indeed, the Hansen Committee proposals provide support for the reform process outlined here. The archival record documents at least three of the four stages proposed here, including research, information dissemination, and consensus development. [Various 1970 Dear Democratic Colleague letters from Julia Butler Hansen (D-CO), DSG Papers, Part II, box 163, folder 5].

initiated (and succeeded) in spurring reform in the Democratic Caucus, then it would challenge the theory proposed here.

In 1974, at the historic organizing meeting for the 94th Congress, these dynamics finally shifted. 8 other Democrats offered reforms in the Caucus.¹¹¹ Many were proposals rejected by DSG for a lack of support among members. Rep. Thomas Rees (D-CA) for example, offered a resolution to enact an age limit on committee chairmen, which was rejected. Rep. Charles Bennett (D-FL) offered a resolution to term limit committee chairmen, which was also rejected. DSG questionnaires polled members on these proposals and repeatedly found that most Democrats did not want to make decisions that limited the choices available to members in future congresses.

Rules Enforcement Against Other Members. It is one thing to for groups to force adoption of new rules and procedures, it is quite another to force the Caucus to enforce new and existing rules. Thus, I also analyze the effectiveness of DSG's efforts to enforce Caucus rules sanctioning individual Democrats for violations of Caucus rules. These efforts are difficult to wage because they are often charged, personal fights with single targets, rather than broad debates about general principles of leadership accountability.

Between 1965-1973, DSG led efforts to sanction 7 members of Congress in the Democratic Caucus (Table 6.3). Nearly all, save the resolution to prevent the seating of the Mississippi Delegation (see below), were preceded by considerable study of existing party precedent, repeated Dear Colleague letters, memos, and insertions into the *Congressional Record*,

¹¹¹ Other proposals include one by Rep. Robert Leggett (D-CA) to allow staff aid members on the House floor, and a proposal by Rep. Dave Obey (D-WI) to require that committee meetings be printed in the Congressional Record ahead of time. Unfortunately, it is not clear based on the archival record if these proposals were all brought to a formal vote. December 1, 1974 DSG Special Report, 94th Congress Reform Proposals. Part II, box 125, folder 7.

numerous membership meetings where the proposed sanctions were subject to debate, and careful negotiations with the leadership.

The two challenges in 1965 against Reps. John Bell Williams (D-MS) and Albert Watson (D-SC) were preceded by research into existing precedent on party sanctioning of members for endorsing a candidate of the opposing party, and the advice of late Speaker Sam Rayburn (D-TX) about the need to “warn” members prior to sanctioning them; the insertion of a “Statement on Democratic Party Unity” into the *Congressional Record* to inform members about the responsibilities of party membership; a series of Dear Colleague letters encouraging members to “sign” the statement; and careful negotiations with the leadership.¹¹²

The vote on John McMillan’s District chairmanship provided the first application of the new Caucus rule providing for Caucus approval of committee chairmen. It was led by DSG Chairman Donald Fraser (D-MN) who observed McMillan’s leadership firsthand as a District Committee member.¹¹³ Among other activities, the vote was preceded by a series of informal discussions between joint DSG-District committee members; a review of the committee agenda and meeting schedule under McMillan; Dear Colleague letters to other members informing them about his autocratic leadership; and consultation with interest groups about how best to mobilize freshman support; and mobilization of enough members (10) to publicly demand a vote in the Caucus.¹¹⁴ While ultimately unsuccessful, it established a new precedent whereby committee chairs were subject to Caucus approval.

¹¹² October 3, 1964 Dear Colleague letter, Part II, box 88, folder 7. December 24, 1964, “Inside Report: House Liberals Woo Boggs,” *Washington Post*, Rowland Evans and Robert Novak. DSG Papers, Part II, box 163, folder 6.

¹¹³ His leadership of the challenge opened himself up to punishment by McMillan, including McMillan’s efforts to decrease the number of District subcommittees to prevent Fraser from a chairmanship position (even though his seniority would normally provide for it).

¹¹⁴ June 3, 1970 letter from Leon Shull of Americans for Democratic Action to DSG Chairman Fraser. Part II, box 133, folder 2.

The archival record suggests that the joint DSG-Rep. John Conyers (D-MI) proposal to prevent the seating of the Mississippi delegation (on charges of voter suppression) failed because the group failed to develop a consensus or mobilize members. Liberals from New York and other states with independent or liberal parties were concerned about the precedent the resolution would set.¹¹⁵ In other words, the uncertainty surrounding the effect of the reform was too high for many members. And DSG and Conyers both failed to ensure members actually showed up for the vote – 100 fewer members participated in the vote on Conyers’ resolution than participated in the leadership election earlier the same day. It was defeated 55 to 111.¹¹⁶

I did not identify any seniority challenges offered by other members on the Caucus floor during this period. After the failure of the McMillan challenge in the caucus, Rep. Jerome Waldie (D-NY) offered a resolution on the House floor to strip John McMillan (D-SC) of his chairmanship in January 1971. DSG organized an effort to oppose Waldie on the floor out of concern about the precedent it would set for future seniority reforms. Republicans were also opposed and Waldie’s resolution failed. One year later, McMillan lost his primary and Rep. Charlie Diggs (D-MI), a former DSG leader, assumed the chairmanship. Later that year, the long-stymied home rule legislation for the District of Columbia was finally adopted by the House.

A Tale of Two Reforms:

The Role of Organization in Group-Driven Reform

The brief analysis of DSG’s procedural reform agenda above provides strong support for the capacity of liberal leaders to affect procedural outcomes in the Democratic Caucus. It is not possible however, to isolate and evaluate the specific effects of organization across all 41 reforms

¹¹⁵ These members wanted to reserve the option to run on a third-party ticket (if they lost their primary) and continue to caucus as a Democrat.

¹¹⁶ Smith, Frank. *The New Democrat*, “How Democrats Screwed Mississippi Liberals.” March 1971: 14-15. DSG Papers, Part II, box 152, folder 10.

proposed above within a single chapter. Thus, I selected two cases to evaluate the theory of organization proposed here: 1969-1970 DSG Congressional Reform Task Force, and a 1992 DSG Congressional Reform Task Force. The earlier effort constitutes a “successful” case, while the later effort constitutes a “failed” case. This approach allows me to isolate the potential impact of organization on the capacity of groups to pursue their goals. If liberals developed and marshalled the same organizational features and characteristics in the 1990s as they did in the 1960s-1970s, then it challenges the theory outlined here. If, however, liberals in the 1960s-1970s leveraged stronger organizational capacity in support of their goals than liberals did in the 1990s, then it provides support for the theory as outlined.

1969-1970 DSG Task Force on Congressional Reform. The 1970 Legislative Reorganization Act represents a significant shift in transparency and member accountability in the U.S. Congress, and provides the foundation for how the public, the media, and interest groups interact with and view the modern Congress today (Schudson 2015; Kravitz 1990).¹¹⁷ But it also provides tougher case of the theory of procedural change outlined here. The LRA was not originally drafted by liberal Democrats. It was an expansive package of reforms, rather than the piecemeal reforms typical of both the 1970s and procedural change in the U.S. Congress (Rohde 1991; Schickler 2001). And of course, the LRA was considered on the House floor where liberals constituted a smaller proportion of members than they did on the Caucus floor. In other words, the LRA is highly likely to follow a different process of adoption than other procedural reforms drafted by DSG, adopted in the 1970s, or instituted by Congress.

And yet, Liberal Democrats were successful in their monumental task of co-opting the LRA as a reform vehicle on the House floor because they had the organizational capacity to

¹¹⁷ The 1970 bill is one of three reorganization bills to be adopted by the House in the twentieth century.

undertake the effort. My analysis of the archival record on the passage of the LRA provides strong evidence in support of the theory of procedural change as a process with multiple stages, including (1) research, (2) information dissemination, (3) consensus building, and (4) mobilization of support. Liberals' organization enabled them to successfully overcome the hurdles to group-driven procedural change in the House.

The Legislative Reorganization Act was ostensibly the product of a special Rules subcommittee appointed by Rules Chairman William M. Colmer (D-MS) on April 22, 1969, and chaired by California Democrat B.F. Sisk. The committee, including Reps. Richard Bolling (D-MO), H. Allen Smith (R-CA), Delbert L. Latta (R-OH), and John Young (D-TX), was charged with studying the (re)organization of Congress and drafting a bill to be considered by the committee. The subcommittee was a long overdue congressional reaction to the failure of the House to produce a bill incorporating the recommendations of the 1965-1966 Joint Committee on the Organization of Congress.

While liberals were excited about the opportunity the subcommittee represented for the House to finally adopt necessary structural changes, DSG Chairman Donald M. Fraser (D-MN) was concerned about the type of bill that Sisk would draft. Sisk was a DSG member from the group's founding in 1959, but often opposed many of DSG's policy goals.¹¹⁸ In the spring of 1969, Fraser established a DSG Task Force on Congressional Reform and appointed Rep. Sam Gibbons (D-FL) to chair the committee.¹¹⁹ The task force was responsible for not only studying the organization of the House, but monitoring the activities of Sisk's subcommittee. Gibbons,

¹¹⁸ For example, Sisk played a significant role in the failure of DSG's home rule legislation in 1965 (see chapter five).

¹¹⁹ Gibbons had a long legislative history in support of congressional reform, and even testified before the 1965-1966 Joint Committee. But his leadership of the task force reflects not only his personal interest in the organization of the House, but his own leadership ambitions. Gibbons ran for majority leader against Rep. Tip O'Neill in 1973. December 12, 1972 Dear Fellow Democrats letter from Gibbons. DSG Papers, Part II, box 133, folder 2.

Fraser and other DSG leaders, spent several months researching institutional procedure and structures in the House, including the seniority system, the Appropriations process, and voting procedures and participation on the floor and in committee. The goal was to systematically investigate the relationship between existing rules and procedure, and liberal policy outcomes and participation – but it also helped shape liberals’ agenda and strategy going forward.

The task force’s work highlighted the importance of pursuing reform to committee leadership selection through the Democratic Caucus.¹²⁰ Existing precedent and strategic considerations (e.g. liberal strength was stronger in the Caucus) suggested that liberals would be more successful within the Caucus than on the House floor. Moreover, the task force’s research spurred DSG to temporarily delay seniority reforms in favor of the other institutional barriers to participation and policymaking identified. Gibbons described this decision at a 1970 DSG-sponsored Seminar for Members-Elect:

“We purposely did not tackle [the] seniority system because it would knock something if we had gotten involved with it at that time, at least it [would have] killed all the other reforms we tried to take on. And we also felt that reform primarily was a problem of the Democratic Party as far as seniority was concerned.”¹²¹

But the upcoming reorganization bill provided the ideal time to address the variety of other structural issues identified by the task force as suppressing liberal participation in the legislative process. Seniority – a poison pill for these issues – would wait.¹²²

¹²⁰ Anecdotal efforts of course would ultimately be made by individual activist members on the House floor (most notably Rep. Jerome Waldie (D-NY), but no DSG resources would be devoted to reforming the seniority system on the floor.

¹²¹ Transcript, 1970 DSG-Sponsored Seminar for Members-Elect, DSG Papers, Part II, box 28, folder 36.

¹²² As DSG chairman, Fraser had considerable leeway to decide the timing of DSG’s pursuit of seniority reforms. Indeed, while Fraser favored holding off on seniority reforms in 1969, he introduced a resolution in the Democratic Caucus in March 1970 calling for a study of reform within the party despite opposition from several liberals, including Rep. Richard Bolling (D-MO). Introduced at the same time as Waldie’s move to challenge Speaker McCormack – “Bolling, who opposed the Waldie resolution as ill-timed, spoke out at DSG meetings against introducing resolutions simultaneously. Fraser, the DSG chairman, disagreed. His view prevailed.”

Sisk's subcommittee held 16 executive sessions in the summer and fall of 1969, and began the first of several hearings in October. In November, as the planned hearings were winding down, Fraser and Gibbons launched an expansive campaign to inform rank and file members about the need for reforms beyond the parameters set by the committee.¹²³ Per Caucus bylaws, Fraser wrote to Caucus Chairman Dan Rostenkowski (D-IL) on November 10th to "notice for discussion and possible action on resolution relating to congressional reorganization and reform legislation."¹²⁴ On the 19th, Gibbons wrote a Dear Colleague letter to members informing them about DSG's "in-depth analysis of the proposed Congressional Reorganization bill," which he inserted into the *Congressional Record* under Extension of Remarks.¹²⁵ Fraser and Sisk's goal was to use official House and Caucus institutions to pressure Sisk to hold more hearings, thereby creating more opportunities for rank and file members to participate in the process. They also, of course, hoped to change the underlying bill to address liberal concerns before it was reported. Both efforts failed.

When the Rules Committee finally reported a bill on May 12th, 1970, the proposed reforms touched on a wide range of committee procedures, including codifying the rights of the minority party to participate in committee proceedings and staff hiring, as well as restrictions on proxy voting.¹²⁶ But these "modest changes" were insufficient in addressing the fundamental

¹²³ This era overlaps with a simultaneous effort to spur the Democratic

¹²⁴ Fraser also noticed an intention to raise the issue of the pay and working conditions of House cafeteria and restaurant employees, which was a personal interest of his and a minor scandal in the House at the time. November 10, 1969 letter from Fraser to Rostenkowski. DSG Papers, Part II, box 136, folder 11.

¹²⁵ This letter also provides additional evidence of the mobilization step: Gibbons informed members about the hearings underway in Sisk's subcommittee and encouraged members to participate through testimony and statements submitted for the record. Ultimately, 44 people testified and another 44 submitted statements for the record.

¹²⁶ The bill also called for the creation of the Congressional Research Service (CRS) and provided for stronger coordination in congressional adoption of new technologies. Schneider, Judy. 2003. *Reorganization of the House of Representatives: Modern Reform Efforts*. CRS Report for Congress: October 20.

issues identified by DSG's task force.¹²⁷ Liberals felt that existing legislative structures would continue to suppress liberal participation and policy outcomes in Congress.¹²⁸ More specifically, it did not alleviate the pressure liberal members felt to vote according to the position of their conservative committee chair (and potentially against their constituents' interests), or simply not participate altogether.¹²⁹ DSG thought that if the group opened up the process, they would make liberal policy outcomes in committee and on the House floor more likely.¹³⁰

After two months of hearings, Rules Committee members had little patience for these criticisms and repeatedly warned liberals on the House floor against attempting to fundamentally alter the bill. Chairman William Colmer (D-MS) said "Those who have been crying the loudest for reorganization and reform, if they want it, I would to them they stay pretty well within the lines of reason and not try to just revamp the whole Congress and the character of the legislative procedures now in existence." Sisk said "I am just old fashioned. I just do not believe that everything should be changed, that matters that have stood the test of time in this legislative body,

¹²⁷ It is also important to note that liberals had mixed reactions to restrictions on proxy voting. Liberals were more likely than conservatives to use proxies, and thus restrictions on proxy voting were more likely to negatively impact liberal interests than conservative interests.

¹²⁸ March 1973 Special Report, "Reform in the House." DSG Papers, Part II, box 137, folder 4.

¹²⁹ While liberals were notorious members of the Tuesday-to-Thursday club in Congress, their vote participation on the floor and in committee was shaped by conservative leadership dominance. If the only person who knows how you voted on the floor or in committee is your conservative committee chair that might punish you if you vote against their preferred position, members have a strong incentive to vote their way (and potentially against their own constituents) or not show up to the vote whatsoever. "Unrecorded" votes opened liberals up to punishment if they voted the wrong way, and largely foreclosed any possibility of reward by their constituents or in the media.

¹³⁰ It is important to note here that many Dixiecrats ultimately supported the recorded teller vote provision, and even the opening of committee hearings (in keeping with Schickler (2001)). However, their interests did not align with DSG so much as each faction believed that this specific reform would better serve their own individual policy goals. Liberals believed greater legislative transparency would make it easier for their likeminded colleagues to vote on controversial measures, while conservatives thought that additional legislative transparency would actually make it harder to do so. And indeed, the recording of amendment votes is widely noted by scholars as an example of unintended consequences in congressional reform – amendment votes are liable to be a political minefield that may come back to haunt members in their next election. But the archival record suggests that liberal reformers in DSG were well aware of the potential consequences and simply thought it was worth the potential risks and tradeoffs.

as well as in other areas, should be changed because somebody wants a change.”¹³¹ Both Colmer and Sisk did not see the need for radical change within the House, but they were also concerned about the fate of the bill Rules had spent over a year preparing.

Their concerns were not unfounded; the LRA was to be considered on the floor under an open rule (allowing all amendments except for those addressing committee jurisdictional changes, which Rep. Bolling’s (D-MO) Select Committee would ultimately address a few years later). The Rules Committee had little control over the full slate of amendments to be offered, which provided a strategic opening for DSG. The LRA’s open rule enabled DSG leaders to force consideration of many of the committee and voting procedural changes identified by the task force. The group developed a 14-point plan to amend the bill when it came to the House floor during the summer of 1970 that required marshalling every aspect of DSG’s organization.¹³²

Fraser and Gibbons decided to focus on a handful of amendments to the bill, including a proposal to record teller voting, a proposal to open committee hearings to the public, and a proposal to record and distribute committee votes. In support of these amendments, DSG produced several additional reports for members that specifically linked the group’s amendments to members’ policy, electoral, and even leadership goals. The group’s June 24th *Special Report on Secrecy in the House of Representatives*, for example, argued that non-record votes suppress not only members’ participation, but members’ ability to get support for their own amendments “regardless of their merit.” And closed committee sessions and the limited availability of

¹³¹ July 13, 1970, *Congressional Record*, H6597. DSG Papers, Part II, box 129, folder 4.

¹³² “Proposed Plan of Action on Congressional Reform.” DSG Papers, Part II, box 114, folder 8. See Appendix 4 for full text of document.

committee reports make members vulnerable to interest group interests, and potential attacks in their re-election campaigns.¹³³

DSG brokered unity in support of their slate of amendments strategically through surveys of member opinion, as well as symbolically by recruiting allies to serve as the public face of the reforms.

In June, the group distributed a questionnaire to poll members about their schedule during the summer, as well as their preferences and support for all amendments likely to be considered on the floor (not only those drafted by DSG).¹³⁴ The survey was a couple dozen pages long; each amendment was described in detail and included a summary of the rationale behind the proposal. It was designed to provide DSG with not only a base level of member support prior to the group's lobbying efforts, but to enable the group to draft proposals that would be supported by a majority of members. Members may agree on the principle of recording teller votes, but how many members should be required to demand teller votes? And how should votes be recorded?

After DSG chairman Fraser drafted the initial recorded teller vote proposal, Rep. Tip O'Neill was asked to serve as the lead Democratic sponsor of the recorded teller vote amendment.¹³⁵ This was a symbolic move designed "in hopes of enlisting broader support."¹³⁶ O'Neill was a DSG member, but was not traditionally associated with the group and served as a

¹³³ June 24, 1970 DSG Special Report on Secrecy in the House of Representatives. DSG Papers, Part II, box 128, folder 7.

¹³⁴ June 3rd, 1970 DSG Congressional Reform Questionnaire. DSG Papers, Part II, box 129, folder 1.

¹³⁵ Of course, several members offered their own version of the recorded teller vote amendment, including Rep. Wayne Hays (D-OH) and Charles Gubser (R-CA), who ultimately served as the lead co-sponsor of the amendment. DSG also recruited lobbyists to help develop consensus between the sponsors, and circulated papers refuting the arguments offered by the members in support of their proposals. One page description of the "Ad Hoc Committee to End House Secrecy." DSG Papers, Part II, box 129, folder 1.

¹³⁶ Fraser drafted the amendment in July and then sent it to Legislative Counsel for revision. DSG rejected Legislative Counsel's revisions, and returned to a version of the amendment jointly drafted by Fraser, James O'Hara (D-MI), and DSG staffer Linda Kamm. "Legislative Reorganization Chronology." "Legislative reform effort builds new alliances among House Members," *Congressional Quarterly*, Andrew J. Glass, 1970. DSG Papers, Part II, box 125, folder 2.

bridge between different factions in the party and the leadership. O'Neill himself anticipated an appointment as majority whip at the start of the following Congress when then-Majority Leader Carl Albert (D-OK) assumed the Speakership.¹³⁷

On July 7, DSG circulated another *Special Report*, "The Proposal for Recording Teller Votes," in response to the "overwhelmingly favorable response to it [the recorded teller vote amendment] in returns from the Democratic Study Group Congressional Reform Questionnaire." While earlier reports were designed to inform members about the necessity of adopting procedural changes (and the real policy and power implications of doing so), the July 7th report was designed to promote member participation on the House floor in support of the changes. It gave members simple arguments they could offer in speeches on the floor, as well as straightforward refutations of some of the common criticisms offered in opposition to the amendment.¹³⁸

Liberals were keenly aware of the need to promote member participation in the floor debate and votes; the fate of DSG's amendments depended on liberal participation. It was the summer of an election year; junior members from competitive districts would likely spend considerable time back home in their districts. And of course, all of DSG's amendments were to be considered on the House floor in the Committee of the Whole where liberals constituted a smaller share of members and none of the votes would be recorded (including, ironically, the

¹³⁷ Indeed, when O'Neill joined the leadership, he proclaimed "I haven't found any members of the Democratic Study Group who don't feel they now have a voice in the leadership. I know that when the leadership meets, the views of the liberals will be expressed" (CQ 1972).

¹³⁸ For example, the report refuted criticisms that recording teller votes would require members' constant attendance on the floor; it was a delaying tactic designed to slow the legislative process; that it would make it more difficult for members to vote for "interests of the nation, rather than regional interests"; and that it would "increase the possibility of demagogic amendments designed to embarrass members." July 7, 1970 DSG Special Report, "The Proposal for Recording Teller Votes," DSG Papers, Part II, box 131, folder 2.

amendment to record teller votes).¹³⁹ The open rule was likely to foster long days of debate, and liberals could not predict the exact timing of any one single vote.¹⁴⁰ Indeed, they could not even predict how long the bill would ultimately be considered on the floor – the June questionnaire specifically asked members about whether they anticipated being in D.C. and “on or near the floor” during the amending stage, “which may take as long as a week.” The amending stage of the 1970 LRA would ultimately take 3 months.

On the first day of the bill’s consideration, the typical floor dynamics of the textbook era (see chapters three and four) were present. Rep. H.R. Gross (R-IO) used his floor time to highlight liberals’ absentee problem: “Mr. Speaker...I arise to point out that some of the most vocal of the reformers are conspicuous by their absence at this time. I suppose that when this debate began those who felt so badly in need of a change in the rules of conduct of the House would be available and ready to get into action.”¹⁴¹ While Gross’s comments are typical of his own reputation as a “curmudgeon” (Schweider and Schweider 2006), they reflect a very real absentee problem for liberals. DSG developed a two-pronged approach to promote liberal participation on the House floor. First, the group recruited allies outside of Congress to pressure members to be in D.C. during the bill’s long period of consideration. And second, they established a joint DSG-lobbyist whip system to monitor the floor to ensure members actually showed up and voted.

¹³⁹ The Committee of the Whole (short for the Committee of the Whole House on the State of the Union) refers to a different set of rules employed during the consideration of legislation, and specifically on amendments to legislation. It does not refer to a legislative committee (and all members of Congress are “members” of the Committee of the Whole), but rather the House in a different form intended to make the consideration of legislation easier (for example, by greatly reducing the number of members necessary to constitute a quorum).

¹⁴⁰ Conservative dominance of committees meant that conservatives often served as floor managers for bills, and thus controlled legislative debate. The floor manager had significant prerogative to call up votes at will; if they surveyed the floor and decided that support for their preferred position was highest (and opponents their lowest), they could call up the vote at their will.

¹⁴¹ *Congressional Record* 13 July 1970 H6597. DSG Papers, Part II, box 129, folder 4.

DSG's executive director Dick Conlon was a former journalist himself and the architect of the press strategy. Conlon knew that framing "unrecorded votes" and "closed meetings" as "secrecy" in the House would be a "magic button that turned a shower of things on," even though many of the proposals had nothing to do with secrecy.¹⁴² On June 30, Fraser sent a letter to newspaper editors across the country informing them about DSG's effort to "abolish secrecy," and enclosed DSG's *Special Reports* on the seniority system, secrecy in the House, and secrecy in the Appropriations process. Three days later, Fraser orchestrated another letter signed by 10 Democrats and 10 Republicans, including himself.¹⁴³ Both letters specifically requested the press's help in raising the public visibility of the proposed reforms. If newspapers wrote editorials in members' home districts on "secrecy," it would spur constituents to pressure their member to end the practice – and ultimately, support DSG's amendments.

Shortly thereafter, editorials started appearing in newspapers across the country. Though the coverage appeared to be organic – a natural journalistic response to the congressional agenda – many of the editorials and stories explicitly cited DSG's *Special Reports* and/or the group's amendments to the bill. The editorial boards of the *Charleston Gazette* in West Virginia, the *Honolulu Star-Bulletin* in Hawaii, the *Standard-Times* in Massachusetts, the *Providence Evening Bulletin* of Rhode Island, the *Los Angeles Times* in California, and the *St. Louis Dispatch* in Missouri all covered the effort. And of course, national publications like the *Wall Street Journal*, the *Washington Post*, and the *Christian Science Monitor*, and D.C.'s own *Evening Star* and *The Washington Daily News*, published editorials as well.

Sisk was unprepared for the media assault. He told the press that charges of secrecy in the House "are basically *a figment of the imagination of the news media*. Maybe some of them are

¹⁴² July 12, 1979 letter from Conlon to Frank Eleazer. DSG Papers, Part II, box 162, folder 5.

¹⁴³ June 30, 1970 Dear newspaper editor letter from Fraser. July 2, 1970 Dear Newspaper Editor letter from 20 members of Congress. DSG Papers, Part II, box 128, folder 4.

getting a bit lazy and like to have everything written out and submitted to them” (emphasis added).¹⁴⁴ Sisk’s comments brought renewed attention to DSG’s *Special Reports* on secrecy, reinforcing the group’s effort to inform members about the necessity of the group’s proposed reforms. Rep. Benjamin Rosenthal (D-NY), a DSG member, inserted the group’s report into the record 8 days later. He said “Secrecy is not a figment of anyone’s imagination; it is an undeniable fact of life in the House. It is also a *well-documented fact of life as a result of an excellent report by the Democratic Study Group*” (emphasis added).

Of course, pressure from the media and their constituents to show up to key amendment votes did not guarantee members would know when a key vote was scheduled to occur during the long days of debate. Thus, DSG recruited lobbyists and activated a network of allied rank and file members to whip votes on the floor to promote member vote participation.

In July, DSG invited a group of lobbyists to a briefing about the bill and the anticipated slate of amendments.¹⁴⁵ The goal was to recruit the groups to join what DSG called the “Ad Hoc Committee to End House Secrecy,” and participate in the “gallery-spotting effort.”¹⁴⁶ While interest groups comprise a key pressure group in some theories of procedural change (Wright 2000; Zelizer 2004), many had to be convinced to participate. The legislative counsel for the U.S. Chamber of Commerce, Argyle Campbell, told *National Journal* that “We regard this (bill) as strictly an ‘in-house’ matter. It would be much better for them to handle it themselves.

¹⁴⁴ Sisk’s comments also suggest he was unaware that DSG was the source of the press’s coverage of the bill. [1970. “Changes Sought for Committees: House Rejects Open Meetings.” *Minneapolis Tribune*. July 15. DSG Papers, Part II, box 129, folder 2.]

¹⁴⁵ Among the groups invited were the AFL-CIO, the National League of Cities, the National Wildlife Federation, the Sierra Club; the National Taxpayer’s Union; the Urban Coalition; Americans for Democratic Action; National Rural Housing Coalition; Leadership Conference on Civil Rights; the League of Women Voters; Ralph Nader; the Children’s Foundation; and the Wilderness Society.

¹⁴⁶ One page description of the “Ad Hoc Committee to End House Secrecy.” DSG Papers, Part II, box 129, folder 1.

Members should decide how they will conduct their legislative affairs and not outside pressure groups.”¹⁴⁷

“Gallery spotting” was a hallmark of DSG’s whip system throughout the 1960s; on unrecorded teller votes, it was simply the most effective way to keep track of whether a member actually voted.¹⁴⁸ In 1970, lobbyists made for natural allies for the on-the-floor whip system. House rules limiting the materials anyone could take with them to the chamber as well as the quick pace of the voting process meant that gallery spotters had to know what members looked like by sight alone. Lobbyists were the rare individual who could immediately recognize members of Congress by their appearance.

The network of lobbyists was supplemented by an on-the-floor whip system known as the “buddy system.” DSG chairman Donald Fraser (D-MN) developed the system when he was a freshman in 1963 in place of the regular Democratic whip system.¹⁴⁹ Fraser and Gibbons, as well as executive committee members John Brademas (D-NY) and Jim Corman (D-CA), coordinated a 23-member team.¹⁵⁰ The whip teams were organized by amendment, with each whip responsible for assuring the floor participation of 5 members with whom they shared strong, personal relationships (their “buddies” in Congress).¹⁵¹ Whips were required to stay on the floor, notify their assigned list of members when a vote was about to occur (and their support was needed),

¹⁴⁷ Campbell went on to say that he attended DSG’s meeting “just out of curiosity.” 1970. “Legislative Reform Effort Builds New Alliance Among House Members.” *National Journal*. Glass, Andrew J. DSG Papers, Part II, box 125, folder 2.

¹⁴⁸ Usually, it was a practice that involved sending a DSG staffer who knew what (almost) every member of the House looked like to the floor to keep track of whether (and not how) a member voted. It enabled DSG whips on the floor to effectively target those members who had not yet voted.

¹⁴⁹ It was first used on a December 1963 vote on foreign aid appropriations, but was also a critical feature of debate on many important bills in the 1960s, including the 1964 Civil Rights Act (see chapter seven).

¹⁵⁰ In keeping with the findings of chapter five, both Corman and Brademas would go on to serve in leadership positions within the official party whip system – both as chief deputy whips, and Brademas as majority whip.

¹⁵¹ Whenever whip assignments were distributed to members, DSG whips were always asked to review the list and confirm they got along well with the assigned members. If not, they were to notify DSG who would have the member target reassigned to another whip who shared a stronger, personal relationship.

and informing Fraser and colleagues when and if they observed any problematic absences.¹⁵²

The goal was to ensure that DSG did not lose any amendment simply because a member was working in their office and did not know their support was needed on the floor.

DSG ultimately proposed 11 amendments to the bill, but among the most important were 3 “anti-secrecy” amendments providing for recorded teller voting (to provide for the recording of amendment votes); open committee meetings, and record votes in committee. 9 were approved during the House’s extensive consideration of the bill throughout the summer of 1970. These include major provisions like the recording of teller votes (adopted by voice vote) and record votes in committees, but also provisions empowering committee members to call committee meetings, and strengthening the guaranteed layover period for conference and committee reports prior to a vote. The open committee sessions amendment failed after several committee chairmen – led by Judiciary Chairman Emanuel Celler (D-NY) – mounted a coordinated effort to defeat it. However, DSG succeeded in forcing its adoption in the Democratic Caucus the following Congress.¹⁵³

The LRA was passed in the House by a vote of 325 to 19, and signed into law on October 26, 1970 by President Richard M. Nixon.¹⁵⁴

The LRA provides considerable support for the theory of procedural reform outlined here. Liberals studied the institutional conditions limiting representation of liberal interests in the House for over a year; they produced numerous reports to inform members about the need to address the issues identified by the group; they polled members and held meetings to identify the

¹⁵² On the day of the vote on O’Neill-Gubser, three whips (Brown, Alexander, Symington) were absent and their members were reassigned. Memo from Conlon to Reps. Fraser, Brademas, Corman and Gibbons re Special Whip System for Congressional Reform Bill. DSG Papers, Part II, box 129, folder 5.

¹⁵³ The rule was subsequently strengthened over the next couple years as well.

¹⁵⁴ 91 members did not vote, including most committee chair(wo)men.

best way to address them and the proposals that would receive majority support; and they mobilized their allies to come to the floor when they came to a vote. At every stage of the process, they marshalled the organizational resources and tools provided through DSG to overcome committee opposition, leadership apathy, and the under-participation of members, the press, and interest groups. Absent DSG, it is highly unlikely liberals would have been able to mount these achievements.

Of course, the LRA is merely one package of reforms. Do the findings shown here about the relationship between organization and procedural agenda-setting hold in other cases of reform? I now turn to a “failed” liberal-led reform to address this question.

1992 DSG Task Force on Congressional Reform. In the early 1990s, liberal Democrats returned to one of DSG’s first reform goals – the creation of a new policy agenda-setting body within the Democratic Caucus under the auspices of a new task force on congressional reform. The goal was to create a robust Steering & Policy Committee within the party responsible for developing and setting Democratic party policy. And in theory, according to many conventional explanations of group-driven change and power in Congress, liberals should have been successful in achieving its adoption. The 1992 task force formed at a time when liberals constituted a significant portion of the Democratic Caucus and held many key committee and party leadership positions (see chapter five). Speaker Thomas Foley (D-WA), Majority Whip David Bonior (D-MI), and Caucus Chairman Steny Hoyer (D-MD), along with several other leaders, served on DSG’s executive committee and maintained close relationships with the group.¹⁵⁵ And of course, like the LRA, the 1992 task force was established concurrent to an official House and Democratic

¹⁵⁵ In total, 55% of the top party leadership positions (or 6 of 11), were held by members with prior executive committee service. See chapter five.

Caucus study of congressional organization.¹⁵⁶ In short, there is every reason to expect liberals to have been successful in pursuing their goal to create an agenda-setting body within the Democratic Caucus.

And yet, the archival record reveals that liberals never moved beyond the “research” stage of the process. Task force members failed to draw a linkage between the proposed reform and members’ policy and power goals (“inform”); to build unity between rank and file members, committee chairs, or party leaders around a specific proposal (“develop a consensus”); or to marshal support among group allies, the public, or the media to support the effort when it came to a vote (“mobilize allies”). Ultimately, the failure of the 1992 task force is not surprising given that many of the key organizational strengths developed by liberals in DSG had ceased to exist by the early 1990s.

Throughout the 1960s, 1970s and 1980s, liberal Democrats undertook piecemeal efforts to create, or alter the composition and power of the Democratic Steering & Policy Committee. Each and every proposal was adopted by the Democratic Caucus, including proposals adopted in the 87th, 88th, 89th, 92nd, 93rd, 94th, and 95th congresses. None ultimately functioned as a broad agenda-setting body, although certain iterations of the committee succeeded in developing party policy on specific issues.¹⁵⁷ Indeed, Democrats arguably did not require such a policy mechanism – in the 1960s, liberals did not lack for a coherent policy agenda; existing rules and procedures simply made it impossible to carry out. Members of Congress wrote the Democratic party platform adopted every four years, and many prized liberal policy goals were enshrined in the platform despite considerable controversy from within Congress. Liberals could point to

¹⁵⁶ The 1969-1970 DSG Task Force on Congressional Reform was established alongside a 1969-1970 Rules subcommittee investigation into congressional organization, and the 1992-1994 DSG Reform Task Force was established alongside the 1993-1994 Joint Committee on the Organization of Congress.

¹⁵⁷ As Nathanson (1974) details, former DSG Chairman Donald M. Fraser (D-MN) not only developed a resolution providing for the creation of a Policy and Steering Committee, but he “was instrumental in getting the Steering Committee to develop an economic program for the caucus” (9).

platform planks on civil rights, voting rights, home rule for the District of Columbia, even congressional reform itself, to justify their policy goals and procedural reform efforts inside of Congress.¹⁵⁸

In the 1990s, liberals confronted a very different institution, which necessitated a different approach. If reformers in the 1960s and 1970s focused on developing rules to enable the party to carry out a pre-established liberal agenda (as codified in the Democratic Party Platform), then liberals in the 1990s were focused on how the party could develop an agenda that could be carried out within the complex set of contradictory institutional rules produced through the 1970s reforms.

In the spring of 1992, DSG Chairman Bob Wise (D-OK) appointed a Reform Task Force to address these new institutional dynamics. Its members included former DSG chairmen Dave Obey (D-WI), Matt McHugh (D-NY), Martin Sabo (D-MN), James Oberstar (D-MN), and Reps. Tom Sawyer (D-OH), David Skaggs (D-CO), Peter Hoagland (D-NE), Rosa DeLauro (D-CT), Glen Browder (D-AL), and Nita Lowey (D-NY).¹⁵⁹ After a month, the membership was expanded to include the entire 34-member executive committee.

¹⁵⁸ For example, in DSG's long pursuit of D.C. home rule, liberals frequently linked the adoption of a bill to a long-promised platform plank. On the eve of House consideration of the 1973 Home Rule bill, DSG chairman John C. Culver (D-IA) wrote a Dear DSG Colleague letter noting that the issue had long been settled among "national" Democrats: "Every Democratic Party Platform since 1940 has contained such a commitment [for self-government for the District of Columbia]." October 8, 1973 letter, DSG Papers, Part II, box 151, folder 6. In a September 4, 1969, DSG executive committee members Rep. John Bingham (D-NY), Sam Gibbons (D-FL), John Culver (D-IA), and Claude Pepper (D-FL) wrote to Caucus Chairman Dan Rostenkowski (D-IL) noticing a resolution that provided for Caucus recommendation to committee chairs and committee majorities "that they review those sections of the 1968 Democratic Party Platform within their respective jurisdictions with a view to developing a systematic program for bringing to the Floor of the House legislation *to give effect to the Democratic Party Platform*" (emphasis added) [DSG Papers, Part II, box 136, folder 11]. In July 1984, DSG staff were asked by Walter Mondale to review and comment on the Democratic Party Platform (July 10, 1984 letter from Mondale to executive director Dick Conlon, DSG Papers, Part II, box 133, folder 10).

¹⁵⁹ September 24, 1992 Dear DSG Member from Chairman Bob Wise (D-WV). DSG Papers, Part II, box 126, folder 3. Meeting minutes suggest that Obey managed the task force meetings, although Wise appointed the membership.

The timing of the task force was both pragmatic and strategic. The success of the 1970s reforms had created a set of contradictory institutional arrangements (Schickler, Sides and McGhee 2003). The 1990s was an era in which rank and file members and party leaders were simultaneously empowered at a time when committee chairs themselves remained powerful. The decentralization of power “led to fragmentation and overlap in the legislative process, which impedes the ability of the institution to address the nation’s complex and interrelated problems.”¹⁶⁰

The task force coincided with two other official studies of congressional organization in the House. In July 1992, Congress established a Joint Committee on the Organization of Congress, which was charged with conducting a “full and complete” study of congressional organization and operation.¹⁶¹ When meetings began in early 1993, the Joint Committee was dominated by members with DSG leadership experience – a significant shift from the 1965-1966 Joint Committee and the 1969 Rules subcommittee on organization. Four of the five House Democratic members of the Joint Committee (excluding the two co-chairmen, Reps. Lee Hamilton (D-IN) and Willis Gradison (D-OH)) had served on DSG’s executive committee or policy task force: Reps. Dave Obey (D-WI), Al Swift (D-WA), and John M. Spratt (D-SC), and Delegate Eleanor Holmes Norton (D-DC).¹⁶² And in the spring of 1992, the Democratic Caucus appointed a Committee on Organization, Study, and Review chaired by Rep. Louise Slaughter (D-NY).

¹⁶⁰ December 11, 1992 Special Report Democratic Caucus Strengthens Leadership, Streamlines House. DSG Papers, Part II, box 126, folder 4.

¹⁶¹ Joint Committee on the Organization of Congress, January 6, 1993, Organizational Meeting, Washington, D.C.: U.S. Government Printing Office.

¹⁶² Obey was a former DSG chair; Swift was a member of DSG’s 1980s-era election reform task force (likely in conjunction with his House Administration chairmanship); and Spratt and Norton were both executive committee members.

The research stage began even before the task force held its first meeting. Wise requested that DSG's 501(c)3, the Democratic Study Center, consult with the Brookings Institute, the American Enterprise Institute, the Congressional Research Service, and other experts, to identify "the principal areas of concern in the organization and operations of the House of Representatives."¹⁶³ On May 20, 1992, Wise outlined three areas for the task force to address based on that research: 1. To develop a reform package that strengthened the capacity of the Caucus to serve as an instrument of party policy; 2. To improve the operations and procedures of House committees; and 3. To strengthen the tools of the leadership to develop and implement a policy agenda.¹⁶⁴ In Obey's words, the task force was responsible for "completing the job of the mid-70's reforms."

The reform task force met weekly throughout the summer of 1992 to discuss the problems facing the House and the Democratic Caucus, and the development of proposals designed to address them. Research projects were occasionally undertaken in response to member suggestions, such as a proposal to eliminate budget resolutions.¹⁶⁵ At the June 3rd meeting, the task force agreed to focus on reconstituting the party's Steering & Policy Committee as an agenda-setting body. But they struggled to come to any agreement about how best to challenge committee chair prerogative or to strengthen S&P, or whether an agenda-setting body was even ideal given the party's needs and the function of the legislative branch.¹⁶⁶ A clear

¹⁶³ May 14, 1992 Memo from Bob Wise to Members of the DSG Reform Task Force. DSG Papers, Part II, box 126, folder 3.

¹⁶⁴ May 20, 1992 meeting minutes of the DSG Reform Task Force. part ii, box 126, folder 3.

¹⁶⁵ For example, Louis Fisher, a specialist on the separation of powers at the Library of Congress, wrote an August 4, 1992 memo for members on the "political, institutional, and procedural consequences of eliminating budget resolutions." DSG Papers, Part II, box 126, folder 3.

¹⁶⁶ At the June 3rd meeting alone, the task force debated 7 different proposals. Members raised a number of issues, including when such an agenda should be developed (i.e. before committee chairs are selected?), whether it needs to be constantly re-evaluated every session, or whether chairs should be a part of the development of a party agenda. Others were concerned about the consequences of a party agenda-setting mechanism for the legislative branch. For example, at the June 10th meeting, former DSG Chairman Martin

division emerged between a reconstituted S&P that provided for some committee chair involvement (and membership), one that emphasized broader Caucus involvement, and one that had absolutely no committee involvement whatsoever.

The extensive-months long research effort obscures a seeming failure on the part of the 1990s-era executive committee to learn from the strategy adopted by liberals in the 1960s and 1970s. Indeed, despite counting nearly every Democrat as a member, none of DSG's proposals would ultimately be adopted by the Caucus. Committee chairs revolted and forced adoption of a compromise rules package. At the time, a disappointed Wise told the press that the compromise ensured that "No matter what, the chairs will be heard."¹⁶⁷ The new body was called the "Speaker's Working Group on Policy Development," and was to be jointly compromised of committee chairs and S&P members. Shortly after the December organizing meeting, the compromise proposal was suspended by the leadership after the large class of incoming freshmen complained that they were left out of the process.¹⁶⁸

The archival record suggests that DSG's task force proposals failed because liberals in the 1990s did not have a strong group organization at their disposal. While the group's research services remained strong in the early 1990s, almost none of the other organizational features developed and marshalled by liberals in the 1960s and 1970s remained. Archival evidence of regular membership meetings, orientation sessions for freshmen, non-labor interest group relationships, and whip or questionnaire activity in the 1990s is sparse (and seemingly non-existent). The executive committee continued to meet regularly, but there was little outreach to

Sabo (D-MN) said that Congress's strength was "its ability to work on policy solutions over time...Don't throw away our strength as a legislative body by trying to be like the President."

¹⁶⁷ Foerstel, Karen. 1992. "Chairmen Win Compromises as Rules Package Finished." *Roll Call*. October 8: DSG Papers, Part II, box 1, folder 16.

¹⁶⁸ Feb 4, 1993, "Synar is Elected to Chair Democratic Study Group: Says Congressional Reform Will be Main Focus," *Roll Call*, Karen Foerstel. Page 9. Box 126, folder 5.

the broader membership. And while DSG had a strong ally in Speaker Thomas Foley (D-WA), a former DSG chairman, he faced many of the same leadership constraints as earlier Speakers (Pearson 2015). Liberals in the 1990s appear to have forgotten the key role of organization in enabling agenda-setting and coalition-building in the 1960s and 1970s. The strategic information dissemination, consensus building, and mobilization so crucial to the adoption of reforms on the House and Caucus floor during that era were largely ignored by liberals in the 1990s. They simply were not organized enough to capitalize on the large numbers of liberals in the Democratic Caucus, or their close allies in the leadership. DSG leaders were aware of the need to surmount each of the same stages faced by liberals in the 1970s, but not the key role of group organization.

The Failure to Inform. DSG knew that they needed to educate members about the role of existing rules – and the consequences of the amending them – on members’ policy and power goals. At the task force’s first meeting, they discussed the need to “respond to some of the myths about those [1970s] reforms, such as the criticism that they spawned more subcommittees.” It is unclear if DSG had the staff support to develop informational resources on these issues for members; only 1 staffer, executive director Scott Lilly appeared to work on the project. Given that there is no evidence that DSG distributed any of the research the group conducted, or evidence or arguments in support of further reform, it seems unlikely. I identified only one *Special Report* on the topic, which was published on December 11, 1992 – *after* the party had already met, debated, and voted on several reform proposals. And even that report provided only a review of the already-adopted proposals; it did not serve to persuade members ahead of time that party bylaws needed to be adjusted to create an agenda-setting mechanism.¹⁶⁹

¹⁶⁹ December 11, 1992, Special Report: Democratic Caucus Strengthens Leadership, Streamlines House. DSG Papers, Part II, box 126, folder 4.

The archival record also provides no evidence that membership meetings were held to bring the rank and file into the process – or indeed, that they were held whatsoever at the time –, or provide an opportunity to discuss and debate the need for party reform. In contrast to the earlier efforts, it is unclear if DSG or Wise even publicly announced the appointment or membership of a reform task force, which suggests a lack of press contacts as a group resource.¹⁷⁰ During several months of task force meetings, neither rank and file members nor party and committee leaders, were invited to attend. Wise defended the discretion of the meetings, telling the press, “We worked five months on the product with a minimum of rumors.” While he was defending the group’s decision to keep chairmen specifically out of the process, his statement suggests another decision on the part of DSG’s leadership – to keep the membership in the dark as well. Indeed, by the early 1990s, DSG “members” defined their membership almost exclusively in terms of the group’s research services.

The Failure to Develop a Consensus. The secrecy of the task force’s meetings belies another weakness of DSG’s strategy in 1992 – the failure to broker consensus with two key stakeholders: committee chairs and incoming freshmen. This failure is an artifact of the absence of many key coalition-building mechanisms, including regular membership meetings, questionnaires of member opinion, or campaign activities and support for members (which appeared to end in the mid-1980s).

The lack of initial committee chair outreach is not surprising. Many of the task force members (save the former DSG chairmen) could not anticipate chairing a full committee

¹⁷⁰ A June 1992 *Congressional Quarterly* article indicated that DSG was one of several groups considering reform, along with the Mainstream Forum (a group of moderate to conservative Democrats), OSR, and the House Republican Conference. However, the article did not explicitly mention the task force or its membership. “Extensive Reform Proposals Cook on the Front Burner,” June 6, 1992. By Janet hook, page 1579-1585. DSG Papers, Part II, box 126, folder 3.

themselves soon (or of course, the impending loss of majority control).¹⁷¹ They had a stronger interest in furthering the power and role of rank and file members. Task force meeting minutes suggest that many viewed chairs as the opposition – not as eventual partners in a broader effort to strengthen the Democratic party in Congress. For example, in an early summer meeting, the task force made plans to “develop a bill of particulars on some chairs,” which they believed would give DSG a “white hat” to wear during rules debates.¹⁷² Nevertheless, any proposal developed by the group would eventually require the support of the chairs, especially given Speaker Thomas Foley’s (D-WA) reputation for appeasing chairmen. Thus, when congressional newspapers began reporting on the substance of DSG’s proposals, it prompted considerable ire from prominent chairmen who were learning about them for the first time.¹⁷³

Ways & Means Chairman Dan Rostenkowski (D-IL) said of the proposals: “we’re [chairmen] the ones who are going to have to work under the effects of what these proposals are going to be. Those of us who are committee men ought to be able to give those people [the DSG] the benefit of our experience.” Science, Space, and Technology Chairman George Brown (D-CA) said “They [chairmen] do not want some other group’s agenda forced upon them.” Energy & Commerce Chairman John Dingell (D-MI), a DSG member since the group’s founding in 1959, levied arguably the most damning criticism, however. In a September 25, 1992 letter to Wise, Dingell borrowed liberals’ language from the 1970 LRA debate to criticize the task force’s process:

“As best as I have been able to determine, these recommendations were concocted by a single DSG staff member working together with a small group of former DSG Chairmen and other Members. If I am wrong about that, it is only because the *secrecy* cloaking your process made it difficult to get accurate information about exactly what was going on...I

¹⁷¹ Obey would become chair of Appropriations in 1994.

¹⁷² Comments of Rep. David Skaggs (D-CO), June 3, 1992 DSG Reform Task Force Meeting, DSG Papers, Part II, box 126, folder 3.

¹⁷³ Foerstel, Karen. 1992. “Chairmen Worry Changes in Rules Will Erode Power.” *Roll Call*. September 17: 14. DSG Papers, Part II, box 126, folder 3.

subsequently learned that in fact these Members had been meeting *secretly* on a regular basis for several months and that all staff save the DSG's Executive Director were barred from those meetings" (emphasis added).

Dingell went on to critique the merits of DSG's proposals:

"...the Task Force's process and recommendations seem designed at once to centralize and decentralize authority, to require accountability without ensuring discipline, to give everyone in the House a greater say in what the House should be doing except for those Members who actually have to do it."

The letter was eventually reported in the press, and Wise responded both publicly and privately.

In his reply to Dingell, Wise stressed that members had every right to meet (secret or not), and likened the task force's effort to DSG's campaign against chairmen in the 1970s.¹⁷⁴ He told *National Journal* that DSG did not want to "air every proposal" until the executive committee "reached a consensus."

Wise's public and private comments indicate that the task force had no intention of ever soliciting the support of committee chairmen. Absent their support, DSG would require broader support from the rank and file in order to constitute a majority on the Caucus floor. The archival record reveals no effort to broker consensus with the broader membership during the summer of 1992 – no questionnaires or polls to gauge member support and preferences; no membership meetings to debate the merits of specific proposals. Given that DSG no longer had these resources and tools ready at their disposal, it is not surprising that consensus proved fleeting for liberals.

Moreover, rather than reaching out to non-incumbent Democratic candidates to persuade them to support their reforms early, DSG sought to pre-empt them ahead of time. *CQ* coverage of the task force suggested that these efforts were an attempt by members to avoid being

¹⁷⁴ "What I hope is not being questioned is whether ordinary Members of the House should dare to meet, to discuss and to propose changing the rules of the Caucus or the House – even if these changes might impinge on the power or prerogatives of those entrusted with positions of authority. This is a question which most of us within DSG believe was resolved a generation ago."

“blindsided by the big class of freshman” or “the object of a freshman revolt.” And task force members wavered between anticipating the incoming members with optimism and fear. Synar, for example, suggested that the new members represent “an opportunity now to change the behavioral standard in Congress.” But Obey stressed the need for “a firm agenda to control the new Members coming in who are out campaigning against Congress and pledging to shake things up.” Obey’s comments highlight a critical difference in strategy between the 1970s and the 1990s.

New members in the 1970s were elected after running similar campaigns against the legislative branch (a phenomenon known more commonly as Fenno’s Paradox), but their view of how best to “shake things up” was heavily mediated through DSG. Indeed, DSG repeatedly reached out to non-incumbent Democratic candidates to provide research materials designed to educate them about the rules (and shortcomings) of the House and various proposals to address them. When the class of the 94th arrived on Capitol Hill, they “[the freshmen] knew few people except each other and the leaders of the DSG” (*National Journal* 1974, 1890). In contrast, liberals made almost no outreach to the class of 103rd. Of course, neither did the leadership.

At the December organizing meeting, the huge class of freshmen were so frustrated by the development of reforms in their absence that Speaker Thomas Foley (D-WA) was forced to give them 90 days to report their own rules package to the Caucus.¹⁷⁵ When the freshmen-developed proposals were eventually unveiled, it was clear they were far more concerned with ethics regulations and scheduling provisions that would create a “family-friendly atmosphere” than strengthening party organization and institutions.¹⁷⁶ In the 1970s, DSG enabled liberals to leverage freshmen vote blocs as an asset in their pursuit of pre-developed procedural goals. In

¹⁷⁵ OSR also failed to consult with the freshmen.

¹⁷⁶ Feb 4, 1993, “Synar is Elected to Chair Democratic Study Group: Says Congressional Reform Will be Main Focus,” Roll Call, Karen Foerstel. Page 9] box 126, folder 5.

the 1990s, DSG no longer had the capacity to enable that same leverage over freshmen; instead, freshmen leveraged their own vote bloc to direct the rules adoption process.

The Failure to Mobilize Allies. The archival record provides no evidence that DSG reached out to the press, constituents, relevant interest groups, or even the broader membership, to help mobilize support for reform inside of Congress. In short, the established lines of communication between DSG leaders and the membership had frayed considerably. Once again, key organizational features that would have helped the task force mobilize support for their proposals were absent. In the early 1990s, DSG did have a whip system, hold orientation sessions for freshmen or pre-Caucus membership meetings, or possess strong relationships with powerful interest groups.

Task force members were aware of the need to develop reforms that would motivate public and press interest, which the S&P proposal was unlikely to do. During one task force meeting, Synar said “we need other reforms that [the] public responds to.” Obey noted a two-track focus: the “public will focus on personnel [committee] changes,” while the press will “pay attention to what we do on power and substance.” While the secrecy of the meetings likely undercut any efforts to mobilize the press, I did not identify any archival evidence that outside interests were invited to attend task force meetings, or to comment on the group’s proposals (let alone to help mobilize member support). I also found no evidence that DSG distributed any research conducted by the group, or their specific proposals, to the press. Indeed, the bulk of the task force’s interaction with the press appears to have occurred in response to Dingell’s September 25th letter to DSG chairman Wise, which was obtained by *National Journal* and others.

DSG did not possess the same capacity for mobilization that liberals had in 1970. While the archival record documents strong relationships with editorial boards in the 1960s and 1970s,

those same relationships did not exist in the 1990s. Moreover, liberals failed to develop new interest group partners after the reform era. Notably, most of DSG's strongest interest group partners in the 1960s and 1970s had lost considerable power amidst the proliferation of interest groups. Americans for Democratic Action and the National Committee for an Effective Congress could not offer DSG leaders the same level of support from outside of Congress. And of course, labor regulations had significantly undercut the power of many unions, which were arguably DSG's strongest allies throughout the group's tenure.¹⁷⁷ And while Wise consulted with scholars at think tanks, including Brookings and AEI where former staffers for DSG chairmen Thomas Mann and Norm Ornstein were based, they also served as consultants for the Joint Committee and OSR's efforts. These scholars were not an advantage exclusively enjoyed by DSG, as many had been in the 1960s and 1970s.

As a consequence of these dynamics, members of Congress felt little to no pressure to strengthen party organization. At a time when Republicans were swiftly shaping public attitudes towards Congress, liberals acquiesced the reform narrative to freshmen more concerned with ethics and lobbying regulations.¹⁷⁸ Interest groups frustrated by the slow pace of divided government or the continued prominence of conservative chairmen were never persuaded that their policy agenda would be better served over the long-term by stronger party agenda-setting. And absent press outreach, reporters framed the story based on the revolt from committee chairmen and the "secrecy" of the task force's meetings – and not how the proposed S&P would strength party accountability, or Congress's capacity to pass a legislative program.

¹⁷⁷ For example, a DSG staffer personally hand-delivered research materials to AFL-CIO every week, and the group was instrumental in temporarily funding DSG's research activities after the abolition of legislative service organizations (see chapter eight).

¹⁷⁸ Of course, Republican attitudes towards Congress were disproportionately more negative than Democratic attitudes towards Congress (Hibbing and Theiss-Morse 1995) – in part a reflection of the party's long era in the minority.

The archival record reveals that while DSG remained a critical part of the House in the early 1990s, its capacity to develop and pursue a procedural reform agenda had weakened considerably. Indeed, while many existing theories of institutional change suggest that liberal reformers in DSG should have been successful, the findings above are in keeping with the theory of group organization, as well as the process of procedural reform, proposed here.¹⁷⁹ The organizational characteristics and process stages identified in the 1970 LRA debate were simply not present in the 1992 S&P effort. The group no longer held regular membership meetings; its legislative research staff was segregated entirely from the leadership's goals; all whip activity had ceased amidst the growth of the leadership whip system; and the power of the group's individual interest group allies outside of Congress had weakened amidst the proliferation of interest groups. Absent these critical mechanisms for informing, unifying, and mobilizing members around the group's agenda, it is not surprising the 1992 task force effort failed.

Conclusion

Nearly every single one of the procedural reforms proposed by liberal leaders in the Democratic Study Group was adopted by the Democratic Caucus or members on the House floor. As the analyses presented above illuminate, DSG was not simply the author of the 1970s reforms (Rohde 1991; Schickler 2001). Rather, DSG provided the organizational apparatus through which members learned about existing procedure, developed preferences for how best to change them, and mobilized around specific proposals. Liberals were successful in spurring the adoption of reforms in the 1960s, 1970s, and even into the 1980s, because they never lost sight of the critical role of organizational resources, tools, and mechanisms in enabling them to work together, and promote their agenda. Indeed, the decision by groups in Congress to organize is not

¹⁷⁹ It is important to note that Wright (2000) and Zelizer's (2003) theories of congressional reform would have predicted DSG failure here. Absent interest group pressure – which was not present here – members would have not had any incentive to support the reforms proposed by liberals in DSG.

a one-time, static decision that permanently empowers groups with the capacity to pursue their goals through successive congresses as they please. Liberals in 1959 made the decision to form DSG and begin developing key organizational features, but liberals in each subsequent congress had to make the same calculated decision. Their efforts to promote institutional change only failed when liberals failed to maintain and adapt the group's organization to the political and institutional environment, such as in 1992.

It is easy to overlook the importance of the strategy adopted by liberal Democrats in DSG in the 1960s and 1970s. If the adoption of reform is an “inevitable” consequence of the growing homogenization of the Democratic Caucus and/or the emergence of new groups inside and outside of Congress, then the specific role of individual members matters little. And indeed, some “liberalizing” changes to House rules – especially some type of up or down vote, or term limits, on committee chairs – likely would have been adopted by the Democratic Caucus in the 1970s and 1980s regardless of DSG. But the process, content, scope, timing, and longevity of adopted reforms would likely have looked very different. Procedural reform in Congress in the mid- to late twentieth century would have been led by interest groups rather than members themselves; individual proposals would have required active leadership support rather than mere apathy or neutrality; the adoption of key reforms would not have begun in 1961 but rather with the election of the Watergate Babies in 1974; and member uncertainty surrounding the effects of specific reforms would have been very high.

Absent DSG, interest groups such as Common Cause (formed in 1970), would likely have played a much greater role in driving procedural change. The result would likely have been more personally motivated and personality-driven (just as in electoral campaigns), with reforms developed to target the removal – and advancement – of specific members of Congress from leadership positions. And some reforms would likely not have been proposed or adopted

whatsoever. Interest groups – by virtue of their position outside of Congress – do not observe the unofficial meetings and byways that define much of the legislative process or leadership power, nor do they have access to a parliamentarian or other legislative resources to learn about legislative procedure. Reforms providing for regular meetings of the Democratic Caucus, the creation of a Steering & Policy Committee, or even the creation of the Hansen Committee do not have a direct linkage to interest group policy agendas or to broad principles of legislative transparency, accountability, or responsiveness. It is highly unlikely that groups would have proposed these reforms on their own.

Absent DSG, party leadership apathy or opposition to specific reforms would have been impossible to overcome and any adopted reforms would have required the active, outright support of the Speaker and majority leader. Apathy towards change, as Speakers Sam Rayburn (D-TX), John McCormack (D-MA) and even sometimes Carl Albert (D-OK) expressed, would likely have delayed the adoption of reform until a new generation of liberals such as Speaker Tip O'Neill (D-MA) were elected. Rather than the contradictory set of institutional arrangements ultimately produced by the 1970s reforms (Schickler, Sides and McGhee 2003), procedural reforms would likely have solely empowered party leaders with a minimal role for rank and file members and the Democratic Caucus. Reform would have looked much like the swift centralization of power under new Republican Speaker Newt Gingrich (D-GA) in 1994-1995 (Strahan and Palazzolo 2004; Aldrich and Rohde 1997). And of course, DSG-instigated punishments against conservatives for violating Caucus rules (see Table 6.3) may have been much weaker, or may not have been levied whatsoever (especially in the 1960s).¹⁸⁰

¹⁸⁰ For example, a May 20, 1965 article in Reporter Magazine suggested that “DSG took all the risks” in challenging Reps. Williams (D-MS) and Watkins (D-SC) as President Lyndon B. Johnson and Speaker John M. McCormack (D-MA) suggested they would not personally push for punishing either member. Both remained largely “behind the lines in case the whole venture misfired.” [“The ‘Group’ That Runs the House,” Paul Duke and Arnold B. Sawsilak, pg. 29, DSG Papers, Part II, box 129, folder 9.

Absent DSG, the formal adoption of reforms, which began in 1961, likely would have been delayed for many years. Democratic leaders would have been forced to rely on watershed elections such as 1964 and 1974 to legitimize the liberal interests in their negotiations with conservatives, and the adoption of reforms would have been timed to coincide with these elections. This would have made the adoption of the reforms themselves more tenuous, and given freshmen far greater leeway to drive the content of the reforms adopted. The abolition of the 21-day rule in 1967 demonstrates the risk posed by relying on freshmen votes alone; if freshmen constitute the winning margin of a coalition, their subsequent electoral loss can shorten or end the tenure of the reform itself. Moreover, freshmen – rather than seasoned members with first-hand knowledge about how Congress works (and doesn't work) – would have driven the narrative, just as they did in 1992. This likely would have promoted only those reforms that are easily explained to constituents, such as ethics and interest group regulations; broader party-building reforms would have been largely ignored.

And *absent DSG*, uncertainty around the adoption of reforms would likely have been very high. If informational asymmetries between members on House procedure and precedent is perennially high, then asymmetries around procedural reform are often even higher. Members would have been forced to rely on assurances from party leaders alone that a vote in favor of rules changes in the Democratic Caucus or on the rules package at the beginning of each Congress would have the intended impact. Junior members who have inherently weaker procedural expertise than their more senior colleagues would likely not have known whether a specific procedural reform would enable, hinder, or have no effect on, their policy and power goals. Member uncertainty about the effects of reform doomed Rep. Richard Bolling's (D-MO) proposals to realign committee jurisdictions in 1973-1974, Rep. John Conyer's (D-MI) proposal to oppose the seating of the Mississippi Delegation in 1971, among others. If this uncertainty

existed on all procedural changes, then member vote participation rates would be even higher than observed in the historical record, vote margins almost uniformly narrow, and the House would have confronted frequent, often successful, attempts to overturn specific reforms.

Instead, DSG enabled liberals to begin the piecemeal process of reform as early as 1961 with the expansion of the Rules Committee, to overcome leadership opposition to certain reforms (such as empowering the Speaker to appoint majority party members of the Rules Committee) and attempts to overturn or weaken specific reforms (such as the recorded teller vote procedure). But perhaps most important, DSG strengthened the lasting impact of the 1970s reform era. The imprint of DSG's procedural reform agenda remains on the Democratic Caucus and the House today precisely because the group's leaders committed to the hard work necessary before the reforms even came to a vote. The group's reforms have stood the test of time because they were rooted in party and House precedent, as well as members' personal experience, and they brokered the active participation of the natural stakeholders of reform (members, the public, interest groups, and the media) at every step of the way. Members were not forced to vote for each reform, rather they were persuaded that their own and their constituents' interests, as well as the principles of majority party power, and democratic representation and accountability, were better served by the adoption of DSG's reform proposals.

This strategy of procedural change has significant implications for our understanding of broader processes of institutional change and group power in the contemporary U.S. Congress.

It is far more difficult today for junior members of either party to band together to force their party leaders to consider changes to rules and procedures that may decrease their own power. The abolition of legislative service organizations made it harder for junior members to band together, and develop and share internal tools and resources to promote an agenda that may be at odds with the leadership. Their capacity to affect a coherent agenda matters far less than the

bloc of votes they represent in leadership races. The emergence of the Freedom Caucus in the Republican Conference was notable precisely because of the threat the disgruntled group of junior members posed to Speaker John Boehner (R-OH). And the 60 or so Democrats who voted for Rep. Nancy Pelosi's (D-CA) challenger Rep. Tim Ryan (D-OH) reflected junior members' frustration with the inaccessibility of the leadership pipeline, but did not spur the development of an ancillary group within the party or significant changes in the Democratic leadership (Taylor 2016).

In this institutional environment, party factions appear to have no other option than piecemeal promises extracted during leadership races every two years. Liberal Democrats' successful strategy of developing a site and forum through which members could learn about and participate in the development of legislative rules provides a model for how members today can challenge power and informational asymmetries that limit their ability to meaningfully participate in the legislative process and party business. Rather than bide their time and wait for mass ideological movements within the party – or the next leadership race – factions can develop their own forum to enable the hard, iterative work necessary for procedural change in Congress.

I now turn to the final – and most difficult – facet of institutional change: policy change.

7 | Policymaking Change in the House of Representatives

Arguably the most important goal of all party groups and individual members is to affect policy debate and outcomes in the U.S. Congress. All other goals – re-election by your constituents, the accumulation of power and leadership positions, majority party status, and the adoption of new rules and procedures – only matter to the extent that they enable individuals and groups to pursue their own and their constituents’ policy goals.¹ And yet, the power to influence policy in the House of Representatives is centralized in a small number of committee and party leaders. Unlike in the Senate, rank and file members are largely left out of the legislative process until the final roll call vote in the House. Leaders are imbued with not only the formal power to set the legislative schedule, but also a range of informal sources of power that enable agenda-setting and coalition-building among their fellow partisans. Leadership offices convey their holders with the resources to study policy issues, a platform to engage with interests and experts outside of Congress, and pre-established communication networks to rally support for (or opposition to) specific policy proposals. These informal sources of power make it incredibly difficult for junior members without leadership offices of their own to contribute to agenda-setting and coalition-building processes in Congress. If groups of members united by some

¹ The primacy of each of these goals has been heavily debated by scholars. While Fenno (1973) argues that members simultaneously pursue re-election, power, and policy, others argue that some goals are inherently foremost for individual members and the party at-large. Cox and McCubbins (1993, 2005), for example, argue that majority party status is the primary goal for individual members and the party at-large; all other goals are not only secondary, but they are mediated through the pursuit of majority party status. Mayhew (1974) focuses on individual level goals, and argues that members pursue re-election first and foremost; members cannot pursue good policy or power without first being elected to Congress. Here I argue that policy is not necessarily the most immediate, but it is ultimately the most important. The accumulation of power only gains meaning through the enhanced capacity to shape policy outcomes; few members use House leadership positions as a platform to pursue presidential, gubernatorial, or Senate office, and of course, the position only pays moderately more. Re-election provides a steady source of income for members, a public platform, and the potential for additional power, but ultimately, election to public service positions is distinct from other positions precisely because of the capacity to shape policy outcomes in government.

common interest want to participate in the legislative process or promote new policy issues, they need to develop the same resources and tools enjoyed by leaders within the formal structures of the House. Rules changes alone are not enough.

Junior liberals in the 1950s confronted an institution designed to limit their participation in policymaking and the legislative process. They had no power to write legislation, build coalitions around policies reflecting their policy goals, or even the information necessary to give a speech on the House floor or cast a knowledgeable vote. This chapter analyzes how liberals pursued their policy goals in the textbook Congress and beyond. Although most congressional scholars suggest that policy change in the post-textbook era is due to liberals' pursuit of formal rules changes (see previous chapter), as well as ideological shifts within the Democratic Caucus, I identify a third mechanism of policy change – the cultivation of legislative resources and tools that empowered liberals to engage in the policymaking process. This chapter analyzes the development and function of DSG as a separate site of agenda-setting and coalition-building power, and its impact on the legislative process in the House. I argue that liberals strategically structured DSG to provide their likeminded partisans with (1) comprehensive policy and legislative research; (2) a platform to engage with key interests inside and outside of Congress; and (3) communications networks to mobilize support for legislation. These critical agenda-setting and coalition building opportunities enabled liberals to bypass the hurdles posed by the formal structures of the House, and directly participate in the legislative process in the pre- and post-reform eras.

This chapter – as in the previous two – is structured in two parts. First, I analyze the process through which DSG promoted policy participation in Congress (Part I). And second, I evaluate the success of DSG at advocating for their policy goals in three key areas – civil rights and civil liberties, defense, and campaign finance (Part II). I begin by introducing a theory of

policy change that expands upon the congressional literature's typical emphasis on formal rules changes and ideological alignment. The rest of the chapter is devoted to analyzing the process through which DSG promoted the policy participation of junior liberals, and evaluating their success at inserting oftentimes controversial issues onto the agenda and brokering support among their likeminded allies. This chapter builds on the analyses presented in the prior two chapters, but here the outcome of interest is policy outcomes (rather than leadership emergence or procedural reform). My findings suggest a re-evaluation of the conclusion that the growing liberal policy output of the Democratic Caucus is solely due to formal rules changes and the homogenization of party members. This finding has important implications for processes of policy change in the contemporary U.S. House of Representatives.

Beyond Ideology & Rules Reform:

An Alternative Theory of Policymaking Change in the Reform Era

Opportunities for member participation in policymaking is not limited to the final roll call vote, nor are obstacles to legislation limited to singular veto points in committees or with party leaders. Members play a key role in concentrating attention on specific issues, specifying legislative alternatives, and shaping how their colleagues, constituents, the media, organized interests, and the broader public view policy issues. Most of these activities take place in congressional committees where members have ample opportunities to participate (Hall 1998). Yet congressional scholars widely agree that policymaking power is wielded by a small number of formally elected and appointed party and/or committee leaders (Cox and McCubbins 2005). The centralization of power inhibits the capacity of groups or individual members to force Congress to hold an up or down vote on legislation they sponsored, especially on issues that may divide party members. But it also limits the capacity of members to strategically frame issues, to specify legislative alternatives, or to meaningfully participate in debate on policy problems and solutions – facets of policymaking power that are often obscured in theories of institutional

change. Ultimately, the power of party and committee leaders to set the legislative schedule is only one aspect of their policymaking power. Formal leadership positions imbue their holders with a wide range of informal legislative resources and tools that enable agenda-setting and coalition-building in Congress. These leaders hold disproportionate sway over the legislative process because they have access to policy information and political intelligence (Hall and Deardorff 2004; Kingdon 1984; Sinclair 1989, 2011; Curry 2015; Meinke 2016) that rank and file members do not. If power asymmetries limit the ability of rank and file members to participate in policymaking, how do members and groups develop the capacity to pursue their policy goals?

The argument offered in this chapter is simple. While formal party and committee leadership offices limit rank and file member participation in agenda-setting and coalition-building, I argue that organized party factions can subsidize policymaking by disseminating legislative resources and tools to individual members. Well-organized factions provide an alternative policy development site and forum – simultaneously contributing to the advancement of issues already on the agenda and promoting new issues that may divide their fellow partisans and party leaders. Members denied the opportunity to participate in policymaking in the formal structures of the House can instead do so through group organization, which provides them with access to (1) policy and legislative research, (2) a network of policy allies inside and outside of Congress, and (3) tools to mobilize support for legislation.

The theory offered here provides an alternative, albeit not incompatible, view of policy change in the House from the pre- to post-reform era. The bulk of the congressional literature explains policy change as a byproduct of two specific mechanisms – formal rules changes that shift the responsibility for policymaking between committees and party leaders, and new ideological coalitions that shift leadership support for (and opposition to) certain policies (Rohde 1991; Cox and McCubbins 2005). Party policy and policymaking shifts when the incentive

structure shifts, either for individual members and/or for the party at-large. To this literature, I contribute a third mechanism of group-led policy change – groups spur policymaking change by subsidizing the cost for members to participate in the development of policy, and for leaders to advance politically risky policy issues. The theory offered here is not incompatible with accounts of policymaking power that stress access to policy and political information, and resources to sway votes (Wawro 2001; Evans 2004; Kingdon 1984; Hall and Deardorff 2004). DSG helped disseminate these resources and tools to a wider range of members, and fostered the development of policy expertise necessary for members to emerge as coalition leaders.

Where my theory of policy change departs is in its understanding of these legislative resources and tools as emanating from member groups, rather than the formal structures of the House or outside interests.² Political parties are widely assumed to provide this subsidy themselves, which in turn motivates political actors to join and participate (Aldrich 1995; Cox and McCubbins 2005). The theory offered here argues that member groups do not merely incentivize policy change; they are active players in the development of policy and the policymaking process. I contribute to the literature by reconciling the often-divergent policymaking theories that suggest groups are agents of change who simultaneously delegate

² This view is different than dominant theories of parties and institutional change, but it comports with most research on the congressional caucus system (Hammond 1991; 2005). Congressional caucuses overlap, but do not align, with party factions as analyzed here. Recent work by Victor and Ringe (2009) provides an alternative view – caucuses do not challenge structural biases in formal party and committee structures so much as replicate and reinforce them. Nevertheless, Victor and Ringe agree that caucuses serve as a reservoir of legislative resources and tools; they simply serve a different purpose than suggested by the rest of the congressional caucus literature. I discuss changes in the congressional caucus system in chapter 8, but these divergent findings are likely a byproduct of the abolition of legislative service organizations in 1995 and the steep rise in centralized party power. Leaders exert far more power over member groups than they did in the past, which in turn shapes group strategy and behavior. Groups are more likely to be successful when they work positively with party leaders, rather than aggressively challenge them; in turn, party leaders use rewards and punishments available to them to shape group activity. The theory offered here emphasizes that partisan group organizations (which overlap, but do not align, with the congressional caucus system), *empower* group members and leaders to challenge biases in the formal structures of the House; group members and leaders have the agency and responsibility to decide how to allocate group resources and tools between party leadership priorities and group interests.

policy power to party and committee leaders to advocate on their behalf. While these two sets of theories are especially useful in explaining both the slow pace and timing of policymaking change, they are not as useful in explaining why politically risky issues advance *during* periods of party realignment.

The fate of liberal legislation in the House changed significantly from the 1950s to the 1980s, but rules and ideological changes alone do not explain the adoption of liberal policies in the intervening decades. Moreover, the hurdles to achieving liberal policy goals went far beyond the authority of formal rules changes, or pre-established policy congruence. Leaders were reticent to use – or develop – party resources and tools delegated to them by their fellow partisans. Democratic whip Hale Boggs (D-LA) barely used the whip system he was charged with managing because of a (real or perceived) fear that doing so would mobilize opposition – rather than support – for legislation (see chapter four). For Boggs, Speakers Sam Rayburn (D-TX) and John McCormack (D-MA), and other leaders, this was a strategic decision.³ Devoting party resources and tools on these bills would crystallize internal ideological and policy divisions within the party (Cox and McCubbins 2005), potentially “waste” their precious political capital, and risk their own leadership position and majority party status (Peabody 1967). The party whip was appointed by the majority leader in consultation with the Speaker; rank and file members had no mechanism to hold the party’s chief coalition leaders accountable for the use of party resources. And until the adoption of the 1970s reforms, neither the committee system nor the Democratic Caucus was structured to promote the participation of liberal members, who were

³ While personally supportive of many “liberal” bills, including legislation protecting civil rights, and federal aid to education and housing, there was no a priori consensus between party members about these issues.

often junior. And liberals were rarely included in the “informal methods” (e.g. Speaker Rayburn’s “board of education”) relied upon by leaders to make policy decisions.⁴

The dominant explanations of policymaking changes between the 1960s and 1980s emphasize the two mechanisms identified above. The growing bloc of liberals elected from western and mid-western states weakened the urban, big machine-southern, conservative Democratic coalition. This provided an incentive for party leaders to throw their political capital and scheduling authority behind increasingly liberal legislation. These coalition changes also motivated the adoption of formal rules changes that shifted the responsibility for policymaking from committees to the party caucus and leadership. As a result, new leaders were elected to take the helm at key committees and existing leaders modified their own legislative behavior to keep their position (Rohde 1991).

Liberal Democrats undoubtedly pursued rules changes that shifted the responsibility for policymaking from committees to party leaders, as well as the election of more liberal members to the House. But they did not abdicate their own responsibility and participation in policymaking until broader shifts developed within their party; rather, liberals structured DSG as a separate site of policymaking in Congress from the 1960s-1980s. Denied the opportunity to participate in the development of party policy, liberals organized DSG to provide these opportunities. Informal norms and formal rules limited the ability of junior liberal members to contribute to agenda-setting and coalition-building processes within their party. Liberals used the organization’s activities, services, and platform to provide members with the expertise, resources, and tools, necessary to meaningfully participate in policymaking in the House. DSG, I argue,

⁴ A March 16, 1962 *Congressional Quarterly* article recounts how “During his tenure as Speaker, Rayburn relied primarily on informal methods for arriving at policy decisions. In many cases, he sought no more advice before making a decision than that offered by the “board of education,” which consisted of himself and various friends with whom he met frequently during the session to discuss party matters.” Background Article, pg. 451. DSG Papers, Part II, box 163, folder 6.

served as an alternative policymaking site and forum, and enabled the advancement and consideration of liberal policy goals in the pre- and post-reform House.

I now turn to an analysis of how DSG leaders strategically structured and employed the organization to enable junior liberals to participate in policymaking in Congress.

PART I: Processes of Policymaking Change in the 1960s-1980s

Liberal policy goals animated every action undertaken by DSG leaders – the group’s campaign work, procedural reform agenda, leadership training and lobbying. They were keenly aware that their policy priorities – outlined in the “Liberal Manifesto” of 1957 and in DSG’s early organizing letters – would go nowhere without stronger liberal unity and increased participation in the legislative process.⁵ If the formal structures of the House were designed to minimize member participation in legislative debate and issue framing, and access to legislative information and political intelligence, DSG was designed to promote it. In this section, I analyze the process through which DSG enabled junior liberals to effectively participate in policymaking by providing them with the legislative tools, resources, and platform necessary for agenda-setting and coalition-building in the House. DSG cultivated and disseminated policy and legislative research to inform members about key issues on the agenda, provided a platform to connect with key interests inside and outside of Congress, and developed communications networks to mobilize support for legislation. My research of the archival record and interview data suggest that these tools and resources were just as critical for the adoption of liberal legislation as formal rules changes and the “homogenizing” of the House Democratic Caucus.

⁵ As detailed in prior chapters, liberal leaders identified labor-management reform, education, housing, “slum clearance,” civil rights, area redevelopment, and immigration, as the top issues confronting the group.

Policy and Legislative Research

Arguably the single most important and long-lasting policymaking service provided by DSG to liberals – and other members – was its policy and legislative research. Scholars widely agree that the committee system is responsible for developing and cultivating information that enables members to address pressing national policy problems (Adler and Lapinski 1997; Cox and McCubbins 1993; Krehbiel 1991). And yet, as interest group scholars have noted (Hall and Deardorff 2004), members cannot exclusively rely on committees for the information necessary to pursue their policy goals. For much of the twentieth century, neither party leaders nor committees provided junior liberals with the information necessary to participate in the legislative process, or to defend their votes to their constituents. DSG not only subsidized the cost of obtaining this information, but brokered unity over how members thought and talked about policy issues.

Nearly every day, members and their staff received printed literature from DSG, which helped focus their attention and framed their views of the issues.⁶ In an era in which party leaders provided little research to members, DSG publications was as much a part of the workweek and the legislative process as constituent mail and committee witness testimony. The majority of the pages distributed were prepared from a journalistic perspective with due attention given to both (or multiple) sides of an issue, descriptions of legislative history without commentary, and well-sourced and cited factual information. Every staffer interviewed in the course of this project

⁶ The specific publications distributed to member offices varied over time, but DSG maintained a wide variety of research publications attuned to the legislative schedule. On occasion, members requested DSG produce reports on specific topics. For example, Rep. Byron Dorgan (D-ND) requested, “as a Democratic Member who supported the original Jones budget,” that DSG put together “a document that compares – in fairly specific manner – that [Jones] budget with the multitude of other packages that we have dealt with thus far...” Part II, box 133, folder 7.

stressed the strong, non-partisan basis for the group's research.⁷ And indeed, it is unlikely that Republican members would have subscribed to the research otherwise. Official House information channels also relied upon DSG publications – often replacing consultations with the committee of jurisdiction or a bill's sponsor – to inform members about the legislative schedule and agenda.⁸ And of course, the information was often shared with Senate offices as well, and senators occasionally inserted DSG reports into the *Record*.⁹

Despite the journalistic underpinnings of the research, each and every publication had clear consequences for how members thought about policy issues and evaluated legislation. DSG research epitomized Kingdon's description of usable information as “predigested, explicitly evaluative information which takes into account the political as well as the policy implications of voting decisions” (1973, 227). As one DSG staffer described, researchers approached their work as “impartiality within a Democratic purpose.”¹⁰ Only *Special Report* – a 20-30 page in-depth analysis of a single policy published about once a month – adopted a specific “liberal” perspective on policy issues, but all subsidized the cost for members to adopt a “Democratic” or

⁷ One staffer noted that DSG wrote “arguments for and against a bill, arguments for and against amendments” from a journalistic perspective because that was what executive director Dick Conlon was trained to do. The staffer went on to say that “maybe a member would want to describe their amendment ‘aspirationally,’ but we would try to be more factually descriptive – how did it change current law?” (September 21, 2015 in-person interview).

⁸ The research was so vital for helping members understand what they were voting on, that (inevitable) mistakes in DSG publications could lead them to vote inaccurately. For example, after Rep. Dale Milford's (D-TX) amendment to the Fair Labor Standards Act in 1977 was mis-characterized in a DSG Fact Sheet, the Democratic whip and the House Information Systems used the inaccurate description of his amendment in calls from the cloakroom and in the summary of proceedings and debates. He took to the House floor to give a one-minute floor speech to explain the “embarrassing and confusing” situation, and argued that “the various official support groups of the House seem to rely on the unofficial DSG factsheet – and one that is nearly 1 week old – for their information.” [Congressional Record, “Correction of Amendment to H.R. 3744,” 16 September 1977, Part II, box 151, folder 4].

⁹ For example, Senator Lee Metcalf (D-MT) inserted sections of DSG's Tax Reform Fact Book into the Record. In his floor remarks, he noted that DSG's report was updated “at my request to reflect final House action in many important areas of consideration.” [Congressional Record 22 October 1969, S30971].

¹⁰ August 5, 2015 in-person interview.

“liberal” position on legislation they often knew nothing about.¹¹ *Legislative Report*, for example, not only outlined the basic provisions of a bill, but also the position of relevant groups (the Administration and affected agencies, as well as interest groups), and committee action and views.¹² *Issue Reports*, not only provided a legislative and statutory background on legislation, but also the “GOP line” on the bill and a (liberal) “rebuttal of response.”¹³ *Staff Bulletin* not only shared draft constituent letters to ease staff workload, but encouraged members to talk about and defend their position on issues to the public in the same way.

The political and policy implications of DSG’s research was not accidental, nor was it overlooked by other observers of Congress, or even members themselves. DSG’s executive director, Dick Conlon, described the key role information played in coalition-building: “the way you change votes is to make it possible for a guy [member] to vote your way...you free the guy, give him the ability to defend himself – that’s how you change votes...it’s our operating principle.”¹⁴ Local and national newspapers emphasized the far reach of DSG’s publications, which put the group and its leadership “in a position to influence a huge bloc of votes on every major issue.”¹⁵ During the nascent years of the Republican Study Committee, Chairwoman Marjorie S. Holt (R-MD) stressed the need for a similar research service for Republicans: DSG’s “extensive legislative research” had “been too effective in influencing legislation the wrong way.”¹⁶

¹¹ As one staffer said, Special Reports were “a way to drive an agenda” [March 3, 2016 telephone interview].

¹² DSG Legislative Report, DSG Papers, Part II, box 71, folder 2.

¹³ Issue Reports Format, DSG Papers, Part II, box 71, folder 1.

¹⁴ Interview with Thomas Mann, DSG Papers, Part II, box 1, folder 13.

¹⁵ *Texas Monthly Magazine*. 1975. “The Best, the Worst, and the Fair-to-Middlin’: Rating the Texas Congressmen From Top to Bottom. But remember, you elected them.” DSG Papers, Part II, box 122, folder 9.

¹⁶ Letter to Steve Stockmeyer, Executive director of the NRCC, DSG Papers, Part II, box 2, folder 4.

The archival record and surveys of member opinion in the 1970s and 1980s suggest that members viewed DSG resources as an important resource in their voting decisions, and their capacity to oppose Republican policy proposals. In a survey of members conducted by the [Carter] Administration Review Commission in the late 1970s, 35% of all members sought information from DSG on legislation considered on the House floor; an additional 22% of all members cited DSG as an information source for committee work (Mulhollan and Stevens 1979). The *New Republic* described DSG's research in 1967 as a bridge "between what the Democratic leadership offered, and the heavily-financed, well-staffed Republican operation."¹⁷ Under periods of divided government, DSG-provided information was especially helpful for members in helping to defeat Republican proposals. Rep. Patricia Schroeder (D-CO) for example, remarked in a letter that "Many times DSG had reports out on Republican proposals before the Republicans even knew what was in them. I hope DSG has enough midnight oil to last out the congress."¹⁸ Rep. John Dingell noted that the special advisory DSG put together on the Emergency Energy Act in 1973 helped "our colleagues...understand the action of the Republicans, the Administration, the gas and oil people, and the opposition of the above-listed to the prohibitions against windfall profits included in the conference report."¹⁹ The group's research services not only provided "members with solid, reliable information," but "good political arguments to make, more partisan in attacking Republican proposals."²⁰

DSG subsidized the cost for members to evaluate legislation, make voting decisions, and justify their votes, based the position of labor groups or environmental groups, or opposition from

¹⁷ Weich, Paul. 1967. "Caged Liberals." *New Republic*. August 19: 11-12. DSG Papers, Part II, box 129, folder 9.

¹⁸ July 30, 1981 memo from Rep. Schroeder to Conlon, DSG Papers, Part II, box 133, folder 7.

¹⁹ January 16, 1974 letter from Dingell to Conlon, DSG Papers, Part II, box 133, folder 3.

²⁰ September 23, 2015 telephone interview.

the president.²¹ The congressional agenda is vast and complex, and heuristic cues such as these are part and parcel of the member decision-making (Kingdon 1989). Members could read the short briefings provided by DSG and easily refute Republican rhetoric or opposition to a bill, or justify their vote based on the support of the AFL-CIO or the NAACP. Thus, while the factual basis underpinning DSG research should not be minimized, neither should the impact of the structure and content provided: DSG made it very easy for members to think about, and talk about, legislation in terms of “liberal” interests and “Democratic” constituency groups.

These issue-framing efforts were aided by journalists, and reinforced by DSG’s corresponding campaign support.

Journalists assigned to Capitol Hill relied upon DSG research publications to keep abreast of the major issues before the House. Journalists ran over in the morning to the Longworth mailroom or the DSG office to collect copies of “the Daily Report, the Fact Sheet, [and] whatever else we published that night.”²² Another described DSG’s research as “the crib sheet for reporters...such that reporters were as much an audience for DSG as were members of Congress.”²³ It is highly unlikely that journalists produced coverage more favorable to liberals simply because they used DSG’s research to understand the upcoming legislative schedule and the background of a given bill. However, their reliance on DSG fostered coverage that included labor union’s support or opposition to a given bill, the liberal Democratic rebuttal to the “G.O.P. Line,” and potential divisions between committee members.²⁴ DSG subsidized the cost for

²¹ DSG’s executive committee or task forces sometimes endorsed specific legislation or amendments to a bill. The number of endorsements varied significantly over time. By the end of summer 1969, DSG task forces made 30 legislative recommendations to members. Status of Legislative Recommendations by Task Force, August 10, 1969. Part II, box 36, folder 5.

²² September 21, 2015 in-person interview.

²³ November 20, 2015 telephone interview.

²⁴ It is, of course, impossible to measure the impact of DSG on press coverage because background information such as this is rarely cited in newspaper coverage.

journalists to produce coverage of congressional policymaking that not only covered both sides of every issue, but was inclusive of the liberal position on any given bill.

And of course, in an era in which the Democratic National Committee and the Democratic National Congressional Committee (the precursor to the DCCC) distributed few resources to members, DSG played an outsized role in providing information services to incumbent and non-incumbent candidates.²⁵ The group developed a campaign manual that provided young candidates from northern and western states with draft speeches, opposition research, and summaries of the most recent legislative record to members.²⁶ DSG produced a steady stream of memos on topics like “A Positive Democratic Answer to President Eisenhower’s Attack on the Record of the First Session, 86th Congress,” and speech books such as “Lip From the Hip,” a response to the official 1964 Republican Congressional Speech Cards that a staffer “found” by a printer on the Hill.²⁷ The campaign materials were shared with presidential and Senate candidates as well. The archival record documents letters of appreciation from the 1960

²⁵ Correspondence between Speaker John McCormack and Democratic strategist, Stephen Spingarn, in 1956 and 1963, suggest that the Speaker believed the Democratic National Committee to be the appropriate venue to develop an information service. Spingarn later said that the “research division [of the DNC]...didn’t have the time or the perspicacity” to produce up-to-date “publications about the achievements of the 89th Congress” [Harry S. Truman Library & Museum, Stephen J Spingarn, Oral History Interviews. March 28, 1967]. This is a striking oversight given that the 89th (1965-1966) is generally considered to be one of the most significant legislative periods in the twentieth century, and that Democrats were incredibly vulnerable in the 1966 mid-term election.

²⁶ The original effort was headed by Charles U. Daly immediately after the end of his service as an APSA Congressional Fellow in 1959. Daly, who would go on to serve as President Kennedy’s congressional liaison, described the organization of the effort: “After the congressional session ended, with some money collected by the Study Group (a group of liberal Democrats on the House side) and with some union support, I left the Senate office and went over to a building behind the Library of Congress, collected a couple of Rhodes Scholars-to-be and a Woodrow Wilson Fellow or two, and put together a campaign manual for congressional Democrats, particularly the younger ones from the North and West.”

²⁷ In an August 22, 1964 letter to candidates enclosing the original 1964 Republican speeches, DSG warned candidates and their staff not to share the speech cards, which they claim to have “found” next to the printers in a Capitol Hill office: “Maximum exploitation of the Republican “Speech Kit” in all districts will depend on the good judgment exercised by each person in its use. Please use it with discretion and guard against revealing that it has fallen into our hands.” In an October 5th memo, DSG informed members and candidates that “your Republican opponent has finally been alerted to the fact that you are in possession of his “speech kit.” Part II, box 37, folder 3. “Lip From the Hip” was prepared in consultation with the Democratic Senatorial Campaign Committee (but not the DNCC) [Part I, box 17, folder 8].

Kennedy presidential campaign staffers, as well as from Ted Kennedy personally in his 1962 special election to fill his brother's vacant Massachusetts Senate seat.²⁸ The widespread dissemination of the same set of speeches and responses to Republican "attack lines" by DSG brokered a coordinated, liberal consensus about how Democratic candidates for office talked about policy issues.

Network of Policy Allies

The second facet of DSG's legislative work was the group's development of a network of policy allies inside and outside of Congress. These relationships are widely recognized as part and parcel of the legislative process, but we do not typically ascribe the responsibility of cultivating these linkages to members themselves.²⁹ Rather, it falls to the lobbyists for the NAACP, advisers to the president, or the Agriculture Undersecretary, to initiate and nurture relationships with individual members if they want to influence congressional policymaking (Walker 1991). Members accept support offered by groups because they have informational needs (Hojnacki and Kimball 1998; Hall and Deardorff 2004), but we rarely conceive of members as soliciting this support themselves. Yet in an era and institutional environment in which members had few opportunities to participate in policymaking in committee or within their parties, junior liberals cultivated these relationships themselves. DSG fostered a network of

²⁸ Various August 1960 correspondence between DSG staff director, Bill Phillips, and Kennedy's campaign, which notes that "The material you [DSG] are preparing is terrific. We should get together and compare notes on what we are doing" [Part I, box 15, folder 8]. November 1962 letter from Ted Kennedy to DSG Chairman John Blatnik (D-MN): "...I want to take this opportunity to thank the Democratic Study Group for their invaluable help during the campaign. The materials we received were certainly worthwhile" [Part I, box 16, folder 6]. In 1960, Senator Ralph Yarborough (D-TX), a liberal leader in the Senate in his own right, wrote to Phillips to thank him for sending DSG's research material. He congratulated Phillips, DSG chairman Chet Holfield (D-CA), and "all the others who are responsible for the formation of the group that is making such vital material available to members of the Congress, and thereby strengthening the cause of democracy in our legislative halls." Part I, box 51, folder 7.

²⁹ Indeed, interest group journal articles include titles like "Organized Interests and *the Decision of Whom to Lobby in Congress*" (Hojnacki and Kimball 1998, emphasis added).

relationships between not only members, and key actors and groups outside of Congress, but between members themselves. Absent a forum or platform of their own to meet and discuss legislation with their natural allies, DSG developed their own.

Interest groups were among some of the most significant policy linkages brokered by DSG. These relationships enabled a “trade-off in resources,” in which DSG provided a targeted audience, information, and legislative strategy, while interest group lobbyists supplied political clout (Mann, Stevens, and Miller 1973).³⁰ In a pre-internet era where identifying information about candidates from across the country was difficult, interest groups relied on DSG to identify “good” liberal candidates for office whom they could then funnel their financial support. Once members were in office, DSG provided a platform to strengthen these relationships through events such as new member orientation sessions and “social hours,” which regularly brought labor unions, civil rights, and other liberal groups, such as the AFL-CIO, International Association of Teamsters, and the Leadership Conference on Civil Rights, to Capitol Hill to meet with DSG members.³¹

Interest groups also constituted a key constituency for DSG’s research publications. Groups were reliant on this information – in contrast to some dominant congressional theories (Hall and Deardorff 2004) – because, as one labor union attested, “we obviously don’t have and can’t finance our own independent research on these issues.”³² The exchange of information was

³⁰ DSG Papers, Part I, box 7, folder 1.

³¹ September 9, 1971 Dear Colleague letter from DSG Chairman Phil Burton (D-CA): Burton informed members that DSG “social hours” were intended to “give our key outside allies and supporters an opportunity to meet informally with DSG members on a regular basis” DSG Papers, Part II, box 133, folder 2].

³² Letter from Legislative Researcher, United Steelworkers of America, DSG Papers, Part I, box 57, folder 7. The letter went on to note that “Each of them [research reports] also could provide the basis for discussion purposes at a future meeting of the Legislative Representatives when hopefully we will have time to study them with an informed resource person.” In a 1968 letter, the legislative liaison for the AFL-CIO recounted a recent legislative meeting, in which DSG’s whip “supplement was passed all around the table and treated as the Bible. In fact, I had trouble getting it back.” 1968 letter to Dick Conlon, DSG

often reciprocal. Interest groups were invited to brief members about the needs of the constituency group they represented, and even sometimes about legislation in which members were uninvolved.³³ At other times, interest groups invited DSG staffers and leaders to their own meetings to “discuss strategies, issues, and formulate policies.”³⁴

From the 1960s-1990s, DSG comprised a critical forum for the exchange of legislative and political resources with the executive branch. DSG’s executive director, Bill Phillips, communicated regularly with the staff of Presidents John F. Kennedy and Lyndon B. Johnson. Congressional liaison Charles U. Daly requested Phillips send him “detailed briefings on major issues before the Congress and the Nation.”³⁵ Subsequent Administrations – Democratic and Republican alike – enjoyed this same privilege.³⁶ For Administration officials, DSG’s published

Papers, Part I, box 37, folder 1. In another example, a Hogan and Hartson lawyer, Jerome Sonosky, sent a copy of DSG’s *Special Report on Gramm-Rudman* to two corporate clients, the Freightliner Corporation and Mercedes-Benz of North America, noting that “If you have any questions about how Gramm-Rudman will work, the enclosed [DSG] analysis...he found it “as good an explanation as any I’ve seen.” [December 16, 1985 letter, DSG Papers, Part II, box 115, folder 8].

³³ For example, Rep. Charlie Wilson (D-CA) took to the floor to describe “a special meeting with members of the Democratic Study Group yesterday [May 12, 1969], the Rev. Ralph David Abernathy and members of the Poor People’s Campaign [where they] outlined their demands and explained the deplorable conditions which the poor in this Nation endure.” [Congressional Record 13 May 1969, H12418]. In another example, Rep. Don Edwards (D-MI), chairman of DSG’s civil rights and minority affairs task force, invited the National Council on Indian Opportunity to discuss the “general problems of Indians today” with members. Part I, box 53, folder 5.

³⁴ Letter from ADA requesting Conlon’s help at a strategy session to “help plan our simultaneous campaign to educate liberals...discuss strategies, issues, and formulate policies which will enable us to move aggressively and constructively into this field.” Part I, box 53, folder 5.

³⁵ Memo from Daly to Phillips, DSG Papers, Part I, box 52, folder 2. Communication between Lawrence O’Brien, special assistant to President Johnson (and Kennedy adviser), and Phillips also suggests that the two staffers met regularly on legislative matters. Daly was responsible for working with northern and western members of Congress.

³⁶ For example, an April 6, 1981 letter from Max Friedersdorf, Assistant to President Ronald Reagan, to DSG executive director Dick Conlon, documents his request to be placed on DSG’s mailing list (and Conlon’s offer to have the materials regularly messengered over by a staffer) [DSG Papers, Part II, box 133, folder 6]. I did not find a letter documenting the receipt of materials by President Jimmy Carter’s Administration, however I did identify other communications suggesting Carter and his top officials were in receipt of DSG materials. In May and June 1978, letters between Conlon and William Cable, Deputy Assistant for Congressional Liaison, Cable criticized Conlon’s decision to “authorize” a DSG fact sheet on the White House Staff Authorization bill. He blamed Conlon personally for the bill’s failure [Part II, box 133, folder 4]. In addition, letters document Carter’s personal addition to the DSG mailing list after he left office via a request from Cable [February 2, 1981 letter from DSG Chairman Dave Obey (D-WI) to President Carter, Part II, box 133, folder 6].

materials provided a window into the most important issues before the House and how liberal members of Congress thought about them. It subsidized the cost for the executive branch to identify those issues where they could work with, and count on, liberal support. Daly, for example, routinely requested that Phillips have members insert White House-provided material into the *Record*.³⁷ The archival record also documents numerous instances in which Johnson Administration officials employed DSG to distribute vital, agency-provided information to members and rally support.³⁸ A 1977 survey of executive branch congressional liaison conducted by the Office of Management & Budget revealed that agencies often strategically employed DSG publications to influence member attitudes on legislation.³⁹ DSG's network of contacts was so well-respected that N.A.T.O. even asked the group to co-sponsor and help organize a 1983 "fact-finding mission" of freshmen members to Brussels and Germany.⁴⁰

And of course, the group provided a platform through which the average member could lobby – and be lobbied by – the executive branch. Briefings by cabinet officials on issues such as civil rights, gasoline shortages, anti-poverty programs, health care, and the Agriculture bill were routinely arranged by DSG or executive request.⁴¹ In other cases, DSG provided the auspices for

³⁷ Various communication between Daly and Phillips, DSG Papers, Part I, box 71, folder 13. Of course, at other times, the materials provided a ready resource to attack liberal members. President Reagan, for example, cited a "recent special report put out by the Democratic study group [that] makes plain they are considering many other options to raise your taxes" during an April 9, 1983 radio address from Camp David [Part II, box 167, folder 3].

³⁸ For example, Orville Freeman, Secretary of Agriculture, sent a letter to DSG Chairman James O'Hara (D-MI) thanking him for the group's assistance in the passage of the Emergency Food Assistance for India resolution (H.J. Res. 267). [May 10, 1967 letter, DSG Papers, Part II, box 133, folder 1].

³⁹ For example, as Mulhollan and Stevens (1977) detail, "An example of the agency transmitting information to the informal group in order to shape Member attitudes is the National Highway Traffic Safety Administration's efforts to ensure that the DSG fact sheet on passive restraints contained information necessary for the presentation of its side of the debate." The study was commissioned by President Jimmy Carter on October 22, 1977 and surveyed the organization, management, and coordination of congressional liaison operations in 32 departments and agencies.

⁴⁰ April 14, 1983 letter from U.S. Liaison officer to DSG Chairman Matt McHugh (D-IL). The letter asked DSG to serve as the Democratic co-sponsor of the trip, which would "take the form of initial contacts with congressmen to determine interest, availability and best dates." Part I, box 53, folder 7.

⁴¹ June 26, 1979 letter from Obey to James Schlesinger, Secretary of Energy requesting that DOE present a factual briefing on the gasoline shortage for DSG members before July 4th recess (short turnaround time)

members to pressure the President to act. For example, DSG sent at least four letters to Republican President Richard M. Nixon between February and August 1969 to pressure him to enforce civil rights procedures at what was then known as the Department of Housing, Education and Welfare (HEW) under Secretary Robert Finch, as well as to protect funding for school desegregation in the Labor-HEW appropriations bill.⁴² And in turn, Nixon Administration officials, including the Treasury and Transportation secretaries, often coordinated with DSG to set up briefings for members.⁴³

The strength of the DSG-Administration policy networks varied over time and by president.⁴⁴ However, they returned in the early 1990s under new President Bill Clinton. The

Attached long list of questions that members had [Part II, box 133, folder 5]. January 7, 1965 memo re meeting with Sargent Shriver on the Economic Opportunity Act of 1964 [Part II, box 38, folder 3]. August 4, 1965 memo: Agriculture secretary, WH assistance Lawrence O'Brien, and Agriculture legislative aides will attend briefing session. DSG could not officially take a position on the bill because of "mixed reaction by members." part ii, box 38, folder 5. Attorney General briefed DSG membership on civil rights act of 1966. July 15, 1966 memo. Part ii, box 39, folder 3.

⁴² February 1, 1969 Dear Mr. President letter drafted by Reps. Fraser (D-MN), Brademas (D-IN), and Corman (D-WI). June 27, 1969 Dear Mr. President letter from Reps. Fraser, Brademas, Corman, and Don Edwards (D-MI), chairman of DSG task force on civil rights, re enforcement of school desegregation and adherence to executive order banning federal contracts to companies with records of discrimination. August 15, 1969 Dear Mr. President letter from Reps. Fraser, Brademas, and Corman. DSG Papers, Part II, box 133, folder 1. March 5 Dear Mr. President letter, Part I, box 38, folder 8.

⁴³ DSG prepared a Fact Sheet in anticipation of a briefing with Secretary of Transportation John A. Volpe, sponsored by DSG Transportation Task Force Chairman, Rep. Edward I. Koch [DSG Papers, Part II, box 171, folder 9]. Charles E. Walker, Treasury Undersecretary, sent a June 4, 1969 letter to John Brademas to set up a meeting with himself, the Treasury Secretary (David Kennedy), and DSG. Walker notes that "We believe that we believe we have a persuasive case to make" and thanks him for "your fair mindedness in offering us this chance to state our case to you and your colleagues." Part II, box 167, folder 2. DSG ultimately held several membership meetings, prepared an 81-page research report, and established a task force on tax reform. The group initiated a successful effort to block action on the proposed extension of the tax surcharge unless it was "coupled with legislation to close tax loopholes" [June 10, 1985 Press Advisory, Part II, box 167, folder 4].

⁴⁴ Generally speaking, the relationship was stronger under a Democratic presidency, although liberals in DSG had an especially hostile relationship with President Jimmy Carter's Administration. Nevertheless, members of Congress and Administration officials always have an incentive to interact with each other.

archival record documents requests by senior White House staff for DSG research on health care and entitlement programs, as well as joint meetings between staffers and DSG.⁴⁵

DSG's task force system often formalized these policy linkages between members, Administration officials, interest groups, and policy experts outside of Congress. Task forces were specifically designed to enable members to address policy issues for which there was no Democratic consensus, or where opposition within the committee of jurisdiction was especially high.⁴⁶

For example, between 1963 and 1965, DSG established a steering committee on foreign affairs to promote member education and participation in the development of foreign aid policy. Conservative opposition within the Appropriations committee, especially from Foreign Operations subcommittee chairman Rep. Otto Passman (D-LA), continually threatened foreign aid funding. Under chairman Donald Fraser (D-MN), the steering committee arranged meetings with the administrator and deputy administrator of the foreign aid program, the congressional liaison for the Department of State, as well as Senator J. William Fulbright (D-AR), chairman of the Senate Foreign Relations Committee, and circulated materials prepared by State to educate members.⁴⁷ Eventually, "pro-aid Republicans" were invited to participate and DSG's public sponsorship of the group was dropped. The committee brokered a network of engaged and

⁴⁵ May 18, 1993 memo from DSG executive director Scott Lilly to George Stephanopoulos re Nunn-Domenici Entitlement Cap. March 3, 1993 letter from Lilly to Mack McLarty, Clinton's (first) chief of staff re McLarty's attendance as a DSG executive committee meeting. DSG Papers, Part II, box 134, folder 5.

⁴⁶ DSG chairman Matt McHugh described the purpose of task forces during a 1977 executive committee meeting: when there is a "great divergence of opinion among DSG on issues," the group should establish task forces to let interested members work on an issue (rather than adopt a formal position or endorsement). Part II, box 7, folder 1.

⁴⁷ March 10, 1965 Meeting Agenda: The objectives of committee action include, 1) "education of members of the committee and other members of the DSG about foreign aid," 2) efforts to bring other members of the House into contact with foreign aid personalities and issues," 3) "public discussion of key foreign aid questions using various means including special orders and speeches during debate on the legislation," and 4) "insuring attendance of pro-aid members during consideration of amendments to the bill." William Gibbons, director, congressional liaison, State Department, sent a March 5, 1965 memo to distribute publications. Part II, box 147, folder 5.

knowledgeable members who worked together to protect foreign aid and built support for President Johnson's funding proposals despite continual committee opposition.⁴⁸

In the first full two years after the task force's creation, fiscal year 1965 and 1966, the House rejected Passman's attempts to significantly cut appropriations from the authorized amount. These two years corresponded with a significant reduction in the inevitable drop-off between the Administration's request and congressional appropriations. In the 1950s, the drop off percentage averaged about 20.6%; in fiscal year 1964, the drop off was 33.8%. However, in fiscal years 1965 and 1966 – during the task force's operation – it averaged only 7.6 and 6.9%, respectively (CQ Almanac 1965, 441-48).

Policy & Legislative Mobilization

The final aspect of policymaking promoted by DSG is the mobilization of member support for specific legislative proposals. The congressional literature provides considerable evidence that these mechanisms are typically provided by party leaders (Cox and McCubbins 2005; Meinke 2016) and interest groups (Hall and Deardorff 2004) who each have a political and policy interest in ensuring that members support legislation on their agenda. The textbook era is unique in that the leadership did not support the robust development of coalition building tools and resources themselves – a reflection not only of the party's status as a procedural coalition (Schickler and Rich 1997), but also Speaker Sam Rayburn's (D-TX) preferred strategy of

⁴⁸ August 24, 1963 letter from DSG Chairman John Blatnik (D-MN) to Fraser (D-MN): "This is to express my personal thanks for the tremendous job that you...have done during the past several weeks. Your efforts to build support for the bill by inserting items in the Record, Special Orders, contact work, and in rallying votes on the crucial amendments Wednesday and Thursday contributed greatly toward the passage of as good a bill as possible under very difficult circumstances....Your continued efforts will help make possible favorable action on these important parts of President Kennedy's legislative program." Part II, box 147, folder 5.

“withheld power.”⁴⁹ Instead, liberal Democrats developed their own resources and tools to foster support for legislation through floor speeches, co-sponsorship, and amendment and final roll call votes.

Beyond disseminating information on the legislative schedule, DSG research publications provided a mechanism for members to rally support for legislation and legislative initiatives, and subsidized participation in floor debate. *Staff Bulletin*, for example, was widely used by staffers and members to advertise for co-sponsors for legislation; signatories for a letter to be sent to federal agencies, the Administration, the leadership or other offices; to announce inter-office staff meetings called by individual offices; as well as other “special legislative efforts.” This substantially subsidized the cost of reaching out to other members for their support. Typically, staffers might have to spend considerable work time drafting and circulating a Dear Colleague letter or conducting a series of phone calls to other offices to solicit support or announce a meeting initiated by their boss.⁵⁰ Instead, a liberal member could use these communications networks to broker support for their policy goals.

And of course, members often carried *Legislative Report* and *Fact Sheets* with them to the floor to make a speech in support or opposition to a bill. The publications provided ready, valid, fact-based arguments that members could easily incorporate into a short speech in defense

⁴⁹ Rayburn’s close ally and protégé Rep. Richard Bolling (D-MO) described his mentor’s view of power in his book, *House Out of Order*: “He [Rayburn] subscribed to the belief that oftentimes withheld power is preferable to committed power that may not carry the day” (1965, 69). In other words, unexercised power is better than power wielded unsuccessfully. Rayburn’s institutional power was weaker if he developed and employed resources to support legislation that ultimately failed, then if he did nothing to support the failed legislation whatsoever.

⁵⁰ This is true in both the historical and contemporary eras, and particularly after the removal of limitations on the number of cosponsors any bill might have (previously, it stood at 25 members). Staffers can spend hours of work time personally calling other offices to seek out support for legislation. DSG also sometimes sent memos or letters to members urging them “to support our colleague...by introducing it [legislation] under your own name” (June 23rd Memo to Members Re Consumer Protection Bill, Part II, box 39, folder 3).

or opposition to a given bill. DSG-provided “arguments for the bill [that] would make a pretty good floor speech.”⁵¹ Members had ready access to arguments on a wide range of policy issues that were “as concise as possibly” can be, such that each argument “resonates with folks.”⁵²

The most significant of DSG policymaking mobilization tools however, was the group’s whip system. It filled a mobilization void created by party leaders who were reticent to poll members on controversial legislation, and believed individual members – not the party – were personally responsible for learning about imminent votes.⁵³ In an era and institutional environment in which junior liberals’ participation was more consequential on the floor than it was in committee, the abdication of mobilization by the leadership was especially harmful for liberal interests.⁵⁴

Indeed, floor debate during the textbook era was a double-edged sword for liberals because it provided opportunities for liberals and conservatives alike. It was defined by prolific open rules in which legislation was subject to a wide range of controversial strengthening and weakening amendments on the floor (Polsby 2004). In an era in which committees provided few opportunities for substantive participation, open rules guaranteed liberals a theoretical chance to shape legislation line by line. And depending on the committee of jurisdiction, open rules provided liberals with the opportunity to “liberalize” conservative legislation via amendment, or rendered liberal legislation vulnerable to conservative amendments on the floor. If open rules provided a rare guaranteed participation opportunity for liberal members, it also provided yet

⁵¹ September 21, 2015 in-person interview.

⁵² September 23, 2015 telephone interview.

⁵³ Comments of Speaker John McCormack (D-MA), Journal of the House Democratic Caucus, March 18, 1970, House Democratic Caucus Papers, box 2, folder 21.

⁵⁴ The increase in congressional careerism and the competitiveness of many liberal districts in this era ensured that liberal members were also especially busy. As one member said, “Ask any liberal. We don’t have time to legislate” (Kingdon 1973). Conservative members, in contrast, tended to be elected from safe districts, which enabled them to spend more time attending to their official legislative duties.

another conservative veto point for liberal policy goals. DSG's whip system was therefore alternatively responsible for bringing "members to the Chamber to vote on amendments which could seriously change the intent of the bill," and on "measures on which the party leadership does not agree with the DSG position" (Kingdon 1973).⁵⁵

As originally designed, DSG whips were responsible for initiating a series of round-robin whip calls to ensure that members knew a vote was about to take place. The group's first Secretary-Whip, Frank Thompson (D-NJ), would place a call from the cloakroom to his office to trigger the system; the goal was to notify all "contactees" within 20 minutes that a vote was imminent.⁵⁶ "Contactees" were informed that the system would not "conflict in any way with regular whip calls" – an assurance rooted more in the absence of official whip activity, rather than policy differences between Democratic and DSG whip activity.⁵⁷ On high-profile legislation, DSG worked in consultation with gallery "spotters" or "watchers." These individuals were interest group representatives responsible for sitting in the House gallery and observing member attendance; if their assigned members did not show up on the floor to participate during key votes, groups made a personal visit to members' offices (CQ 1965).

Repeated close teller votes revealed significant flaws in the system. Among the flaws: it took far too long to contact member offices, and staffers were oftentimes unfamiliar with whip calls (and the information they were intended to convey) altogether.⁵⁸ Gallery spotters were also

⁵⁵ John Morgan, noted in a February 17, 1966 speech before the Government and Foreign Affairs Association, DSG Papers, Part I, box 34, folder 6.

⁵⁶ January 30, 1960 organizational meeting for DSG whips, Part I, box 71, folder 9.

⁵⁷ Memo to DSG Members re DSG Whip System in the 89th Congress, DSG Papers, Part I, box 71, folder 10.

⁵⁸ The 20-minute target did not protect against the loss of a vote. As staff director, John Morgan, noted in a February 17, 1966 speech before the Government and Foreign Affairs Association, "Each amendment on the floor has 5 minutes of debate time for each side, then is quickly voted on by voice or teller. If our side has absentees, and there were a few losses last year because of absence, an important vote can be lost or a bad amendment adopted" [DSG Papers, Part I, box 34, folder 6].

often poorly equipped to monitor member attendance. Many had never met the member whose attendance they were assigned to monitor, and/or had flawed relationships with members, and in some cases, might have campaigned against the very member they were assigned to target in the prior election.⁵⁹

In late 1963, freshman representative Donald M. Fraser (D-MN) developed the “buddy system” to address these deficiencies.⁶⁰ Fraser’s plan leveraged members’ personal relationships and patience to build successful floor coalitions. Instead of an ad hoc system of round-robin phone calls and “ineffectual” gallery spotters, DSG members themselves would be responsible for monitoring their colleagues’ attendance on the floor. Each DSG whip was assigned 4-6 other members whose attendance they were responsible for keeping track of; whips did not keep track of how members voted. Given that whips and member targets were in constant contact during long hours of debate, assignments were only made between members with strong personal relationships.⁶¹ Whips were responsible for reporting to “reporters,” who managed overall member attendance at the front of the teller line as a final verification that members indeed voted. Interest groups were generally only included as a formal partner every couple of years or so on the most controversial of legislation (i.e. those bills likely to be subject to the most amendments on the floor).

⁵⁹ Oral history interview with Kennedy staffer. “Almost always they were marked by how incredibly ineffectual they were despite some lofty pay levels. ...lobbyists would create an atmosphere of interest in a bill. Particularly, if you had a civil rights thing, with church groups or labor you could create sentiment. But by and large, they are not effective. The lower types had one or two pet congressmen they’d trot out when the boss came to town and go down to Paul Young’s or something. But that really isn’t the way to influence legislation.”

⁶⁰ Fraser developed the plan in partnership with Rep. Neil Stabler (D-IA).

⁶¹ Undoubtedly, this helped decrease potential resentment or annoyance on the part of members frustrated by another member keeping track of their every move during a busy legislative day. In contrast, Democratic zone or geographic whips are elected by majority votes of the “constituency” served by the whip.

In addition to mobilizing votes, the whip system initiated polls, which were especially helpful in lobbying the leadership to bring controversial legislation to the floor. Party leaders, of course, have a strong incentive to avoid using party resources in support of legislation that internally divides party members (Cox and McCubbins 2005).⁶² When leaders could or would not act to support liberal policy goals, DSG filled the void. Leaders abdicated responsibility for the whip operation in support of the 1964 Civil Rights Act and the 1965 Voting Rights Act because of the controversy the bills provoked within the Democratic Caucus (CQ 1965). Sometimes the leadership explicitly delegated vote counting responsibilities to DSG. In 1979, the leadership asked DSG to carry out a whip check on H.R. 1, a bill providing for public financing of congressional elections. In 1987, the leadership requested that DSG survey potential revenue-raising options to help “develop a consensus position” and guide the Ways & Means Committee.⁶³ DSG was even occasionally asked to poll seemingly non-controversial issues, such as a request by a staffer for Democratic whip (and former DSG chairman) Thomas Foley (D-WA) on a joint resolution to double food stamp appropriations.⁶⁴

DSG’s impact on floor outcomes was strongest when their efforts to poll and mobilize members complemented the work of party leaders. For example, DSG chairman Mike Lowry (D-WA) employed the group’s infrastructure in 1987 to develop an amendment to the Coast Guard Authorization Bill signaling Congress’s disapproval of President Ronald Reagan’s reflagging of

⁶² It is important to note that while the actions of the leadership comport with Cartel theory, the willingness of junior liberals to advance these issues does not.

⁶³ June 4, 1987 memo from DSG Chairman Mike Lowry (D-WI) to Democratic members. July 7, 1987 letter from Lowry to un-identified list of members. July 7th letter indicated that 100 members have responded to the survey so far, “but we would like to get as many additional responses as possible in order to ensure that the survey results are fully representative of the views of House Democrats.” Part II, box 166, folder 3.

⁶⁴ The whip check on H.J.Res. 934 was requested so that Foley could persuade Speaker Tip O’Neill (D-MA) that it was non-controversial enough that it could be placed on the next Suspension calendar. Bills considered under suspension of the rules require a two-thirds majority vote of passage and are not subject to amendment; by definition, they almost always require bipartisan support. Part I, box 53, folder 6.

Kuwaiti oil tankers.⁶⁵ Lowry worked in close partnership with Speaker Tom Foley (D-WA) in support of his amendment to bring Reagan's foreign policy in compliance with the War Powers Act. Foley appointed a special whip task force headed by DSG executive committee member Rep. Martin Olav Sabo (D-MN) and Rules committee member Bart Gordon (D-TN), and he arranged a meeting with the White House to discuss the reflagging issue.⁶⁶ The stated unwillingness of the Reagan Administration to compromise and consider a delayed implementation of the reflagging policy helped party leaders pressure rank and file members to support Lowry's proposal (CQ Almanac 1987, 252-64).

The leadership solicited broad support for executive compliance with the War Powers Act, DSG while DSG focused on developing specific legislative language that would be supported by a diverse group of members (Hammond 2005). Executive director Conlon tested different language, which helped Lowry develop a "moderate" proposal with majority support. Lowry's amendment ultimately called for a 90-day delay (pre-dated to begin on June 1) before implementation of the Administration's reflagging plan. He then recruited Armed Services member Charles Bennett (D-FL) to offer a flat ban of reflagging on the floor to strategically frame his proposal as more moderate (CQ Almanac 1987, 252-64).⁶⁷ On July 8th, 1987, the joint DSG-leadership effort succeeded. While Bennett's amendment was rejected 126 to 283, Lowry's

⁶⁵ "Reflagging" refers to a practice of bringing another country's vessels under the protection of the United States by reflagging them as U.S. vessels. Kuwait "sought assistance from the United States and the Soviet Union in protecting its vessels and maritime commerce." In March 1987, the Reagan Administration complied by reflagging 11 Kuwaiti oil tankers (Wachenfeld 1988). There was a significant fear among Democrats in Congress that reflagging left the U.S. open to retaliation from Iran with "methods that left no clear "fingerprints" that would justify [U.S.] retaliation against Iran" (CQ Almanac 1987, 252-64).

⁶⁶ June 25, 1987 DSG executive committee meeting. DSG Papers, Part II, box 8, folder 5.

⁶⁷ July 1, 1987 Dear Colleague letter from Toby Roth and Mike Lowry requesting members' support for the Lowry-Roth amendment. DSG Papers, Part II, box 176, folder 8.

amendment was adopted 222 to 184; his proposal received support from a majority of Democrats.⁶⁸

The archival record documents the important role legislative sponsors believed the whip system played in mobilizing members to support their amendments on issues like foreign aid and housing subsidies.⁶⁹ Members who could not request support from the leadership employed DSG's experienced whip system to corral their likeminded colleagues to show up to a vote.

Part II: Evaluating the Role of Liberal Organization on Policy Outcomes

Liberal Democrats were motivated to organize DSG to increase the capacity of the House and the Democratic Caucus to respond to their own and their constituents' policy goals. The archival record, interviews, and secondary sources, reveal that liberals carefully structured and employed the organization of DSG to promote the participation of liberal members in the legislative process. This section examines how liberals applied these policymaking resources and tools in the textbook Congress, and evaluates their impact in three policy areas. Prior research has argued that policymaking change in the Democratic Caucus is a product of the adoption of

⁶⁸ Republicans successfully filibustered a similar 90-day delay bill sponsored by Senator Brock Adams (D-WA), and Lowry's amendment was never implemented. In response, Lowry filed a lawsuit against Reagan in federal court to force him to comply with the War Powers Act. While the suit was ultimately dismissed, 114 other members of the House and Senate were listed as plaintiffs in the lawsuit.

⁶⁹ For example, Rep. Edward Boland (D-MA) wrote to Morgan to thank him for DSG's "cooperation and assistance" amidst consideration of his motion to restore \$20 million in housing subsidies to the HEW appropriations bill. "The teamwork was grand and produced the desired result, both in the Teller Vote and on the Roll-Call Vote" [DSG Papers, Part II, box 132 folder 8]. In another example, Henry Gonzalez, Chair of the Subcommittee on International Finance (Banking and Currency Committee) wrote to thank DSG on February 2, 1972 "for the assistance and support provided by the Democratic Study Group during House consideration of S. 748, S. 749, and S. 2010...[providing for]...\$1.96 billion for the soft loan facilities of the Inter-American Development Bank, the Asian Development Bank, and the International Development Association respectively...Your help was most beneficial, especially during the crucial vote on the Archer amendment to S. 2010, and I am sincerely grateful for your efforts" [DSG Papers, Part II, box 133, folder 2].

rules changes and the homogenization of the Democratic Caucus (Rohde 1991). Here I evaluate a third mechanism of policymaking change – group organization.

Specific and concrete public policy change is the most difficult, but important, facet of institutional change. And liberals' emphasis on the development and dissemination of legislative resources and tools motivates several expectations about the allocation and function of group organization on policymaking in Congress.⁷⁰ Whereas party leaders allocate legislative resources based on the level of controversy and interest among their fellow partisans, I expect that groups will allocate their resources and tools based on their interests alone.⁷¹ And if agenda-setting power is the power to disseminate legislative resources and tools to support specific issues, then I expect organization will empower groups to insert issues onto the congressional agenda and build coalitions in support of their policy goals. In short, DSG should mobilize its resources in support of those policy areas most prioritized by their constituents in urban districts and/or western states, and the group will be effective at securing floor votes and substantive debate on their policy goals regardless of the support of party and/or committee leaders.

Liberal Democrats were especially cautious about formally endorsing a specific agenda out of a fear that doing so would fracture or fragment the membership (see Appendix 5 for the list of policy endorsements adopted by DSG from 1960 to 1974). Every staffer interviewed in the

⁷⁰ The focus here is on the relationship between group organization and group policy goals. I do not explore whether individual members' policy goals are furthered through group organization, which is an important future extension of this research. I expect that group organization will enable individual members to pursue their policy goals by widely disseminating policymaking resources and tools normally denied to them in the formal structures of the House. Members of organized groups should garner more cosponsors on legislation they drafted and should be more likely to receive floor votes on legislation they sponsored than non-group members.

⁷¹ Indeed, if groups emerge to challenge the status quo, they are more likely to allocate resources on issues that provoke controversy within their party, than on those issues that do not.

course of this project was quick to emphasize that the group did not have a policy agenda.⁷² And yet, liberals clearly viewed themselves as responsible for advancing a liberal agenda inside Congress – their efforts were simply conducted quietly, unobservable via most political science methodologies. In 1966, DSG’s Secretary-Whip Henry Reuss (D-WI) described DSG as “the instrument of the national Democratic party...we are largely responsible for the legislative product.”⁷³ Fifteen years later, DSG Chairman William Brodhead (D-WI) noted that “DSG...concentrates on the nitty-gritty, behind-the-scenes tasks required to pass legislation rather than on the more visible activity of advocating a liberal position on every major bill that comes along.”⁷⁴

Observing hidden legislative machinery such as this is problematic. As Victor and Ringe (2013, 185) note, the indirect, diffuse nature of group activity, and the sticky nature of policy outcomes, makes it extraordinarily difficult to isolate the impact of specific groups or actors: “making the case that a particular amendment was introduced as a result of discussions in an intergroup or tracing a policy initiative back to ideas first raised in a congressional caucus will almost always be difficult and will often be impossible.” In short, rejecting the counterfactual with “certainty” is impossible. This project is not immune to these issues. Thus, in order to examine the relationship between group-developed legislative machinery and policy outcomes, I focus on individual policy areas and legislation. If agenda-setting power is the power to decide which policy goals will receive the benefit of legislative resources and tools (Cox and McCubbins 2005), then I examine how DSG, the Democratic leadership, and committees, allocated resources

⁷² One staffer replied, “I wouldn’t say that DSG had a policy agenda...” [September 21, 2015 in-person interview]. Another staffer said “They would not take formal positions, in truth because it would simply fragment the membership. They would not do that.” [September 23, 2015 telephone interview].

⁷³ Comments of Rep. Henry Reuss (D-WI) in Kole, John W. 1966. “Kastenmeier Among Democrats Disenchanted With Liberal Group.” *Wall Street Journal*. October: 5. DSG Papers, Part II, box 129, folder 9.

⁷⁴ August 14, 1981 Letter to the Editor of *The Nation* from Rep. William Brodhead, DSG Papers, Part II, box 132, folder 3.

and tools to pursue specific goals in three policy areas: civil rights, defense, and campaign finance policy. This approach allows me to observe not only how different sites of informal and formal power in Congress interact to shape legislation, but also how groups overcome – and fail to overcome – the hurdles to policy change and legislative influence. I employed available archival documents, the *Congressional Record*, *Congressional Quarterly*, interviews (where available) and other secondary and primary sources, to reconstruct how key congressional policies were developed in the 1960s-1980s. This focused examination of individual policy areas enables a close comparison of legislative resource allocation by DSG, party leaders, and committees in each policy area.

The policy areas analyzed here are interesting and significant in their own right. They include policies often thought by political scientists to motivate the adoption of procedural reforms in Congress (civil rights, defense), as well as those that do not (campaign finance). And the policies comprise key points of dissension within and between the two parties in Congress throughout the latter half of the twentieth century. These policy areas were selected because they were not only highly prioritized by DSG, but historically, outside groups, leaders, and committees, as well as both political parties, played important roles in shaping their development.

Across all three policy areas, liberals established task forces, drafted and introduced legislation, mobilized its whip system, worked with relevant interest groups, formally endorsed legislation, and conducted and disseminated research to members. And of course, these policies were also the subject of considerable attention and resources by “formal” sites of power in Congress. In the next section, I briefly examine the allocation of legislative resources across all policy areas. Defense and civil liberties were the beneficiaries of both formal (committee, party leaders) and informal (DSG) legislative resources, although the quantity and quality undoubtedly

varied. Campaign finance reform did not emerge on the congressional agenda as a major issue until the early 1970s, and thus is not represented in the available data.⁷⁵

The mutual investment by DSG, committees, and the leadership, in each of these policy areas strengthens the validity of the analyses conducted below. The archival record (DSG, the Democratic Caucus), the *Congressional Record*, *Congressional Quarterly*, committee reports, and other available primary and secondary sources (newspaper accounts, oral histories, and interviews with staffers, when available), provide observable evidence of decision-making and action by each power site. If evaluating the role of “informal” groups in policy outcomes requires accounting for the actions and involvement of “formal” sources of power (i.e. committees and party leaders) (Victor and Ringe 2013), then the three policy areas analyzed here allow me to draw stronger conclusions about how party groups influence policymaking processes in Congress.

⁷⁵ It is however, the rare issue that received time and resource investment by not only DSG, committees, and party leaders, but the executive as well.

| Table 7.1: Distribution of Legislative Resources in Congress by Policy Areas, 1967-1970 | | | |
|---|------------------------------------|---|---------------------------------|
| | DSG Whip Mobilization ⁺ | Leadership Whip Mobilization [#] | Committee Hearings [*] |
| Social Welfare | 36 – 13% | 4 – 8% | 87 – 8% |
| Labor & the Economy | 36 – 13% | 19 – 38% | 175 – 17% |
| Education | 33 – 12% | 4 – 8% | 47 – 5% |
| Housing & Urban Policy | 26 – 9% | 1 – 2% | 19 – 2% |
| Congressional Reform | 11 – 4% | None | None |
| Energy & Natural Resources | 9 – 3% | None | 218 – 21% |
| Civil Rights & Civil Liberties | 27 – 10% | 4 – 8% | 47 – 5% |
| Agriculture | 13 – 5% | 2 – 4% | 35 – 3% |
| Government Management | 18 – 7% | 7 – 14% | 142 – 14% |
| Transportation | 6 – 2% | None | 66 – 6% |
| Crime | 7 – 3% | 1 – 2% | 46 – 4% |
| National Security & Foreign Policy | 48 – 17% | 7 – 14% | 172 – 17% |
| Miscellaneous | 5 – 2% | 1 – 2% | None |
| N | 275 | 50 | 1032 |

Source: Data on DSG whip calls collected from the DSG papers, Library of Congress, Washington D.C.: Part I, box 71, folders 2-6; Part II, box 101, folder 12; box 102, folders 1-4. Data on leadership whip activity from Larry Evans (2017).

Note: Column totals may not sum to 100 because of rounding. Policy categories are developed based on the policy areas developed by the Policy Agendas Project (2017). Several issue areas are collapsed “major topic” categories, including labor and the economy, and national security and foreign policy. D.C. issues are included as part of government management; congressional reform added as a separate category.

⁺ DSG whip mobilization column totals reflect phone calls placed to members’ offices to inform them of the importance of their presence on the floor for an important vote. For example, a July 30, 1969 whip call placed at 1:55pm, reads, “This is a DSG whip call. Members are urged to go to the floor and remain there. The vote on the campus disorders provision is expected shortly” (DSG Papers, Part II, box 102, folder 4). This call was coded as a civil rights issue.

[#] Leadership whip mobilization column totals reflect questions carried out by elected geographic or zone whips to their assigned members. Specific policy issues polled were selected by the leadership. For example, a July 7, 1970 whip poll asked members, “Will you support the Newspaper Preservation Act?” This was coded as a labor & the economy issue.

^{*} Committee hearing column totals reflect the number of hearings on each major topic held by all congressional committees. The categories here are collapsed to ease comparisons across different policy areas, but they reflect the original Policy Agendas Project coding. Committee hearings only include 1970; unfortunately, comprehensive data is not available for earlier congresses.

Table 7.2: Distribution of Legislative Resources in Congress by Legislative Context, 1967-1970

| | DSG Whip Mobilization | Leadership Whip Mobilization |
|---------------------------|--------------------------|---------------------------------|
| Amendment | 264 – 60% | 5 – 10% |
| Roll Call | 32 – 7% | 33 – 66% |
| Other procedural motion | 48 – 11% | 12 – 24% |
| DSG Business | 61 – 14% | - |
| Democratic Caucus Meeting | 10 – 2% | - |
| Informational | 24 – 5% | - |

Source: DSG data collected from the DSG papers, Library of Congress, Washington D.C.: Part I, box 71, folders 2-6; Part II, box 101, folder 12; box 102, folders 1-4. Leadership data collected via Larry Evans (2017).

Note: DSG whip mobilization are phone calls placed to members' offices to inform them of the importance of their presence on the floor for an important vote. For example, a July 30, 1969 whip call placed at 1:55pm, reads, "This is a DSG whip call. Members are urged to go to the floor and remain there. The vote on the campus disorders provision is expected shortly" (DSG Papers, Part II, box 102, folder 4). Leadership whip mobilization were questions carried out by elected geographic or zone whips to their assigned members. Specific policy issues polled were selected by the leadership. For example, a July 7, 1970 whip poll asked members, "Will you support the Newspaper Preservation Act?" In email communication with Larry Evans (October 2015), he confirmed that the leadership embedded mobilization activities in each whip poll such that if the leadership asked a member if they supported a bill, the leadership assumed they would be present for the vote. Thus, 10% of all whip polls conducted by the leadership inquired about members' support for, and intention to be present to vote for, a specific amendment. Whereas only 7% of all DSG whip calls requested members' presence and support on the floor for a roll call vote.

"Other procedural motions" include votes on conference reports, motions to recommit, motion to instruct conferees, discharge petition, and presidential vetoes.

Distribution of Legislative Resources.

Table 7.1 presents data on the distribution of legislative resources across different policy areas by DSG, the leadership, and committees from 1967 through 1970.⁷⁶ DSG not only devoted more mobilization resources than did the Democratic leadership, but they did so across a wider range of policy issues. Over the four-year period, Democratic leaders emphasized labor and economic issues to the detriment of all other issues save government management and foreign policy. Leaders did not mobilize Democrats around a single bill in the areas of energy and

⁷⁶ The comparisons here are limited to the 89th and 90th Congresses because, unfortunately, comprehensive DSG whip data is only available for these years. However, additional congresses would likely only magnify observed differences in policy priorities. Speaker Sam Rayburn (D-TX) barely used the Democratic whip system; in some congresses, Rayburn only mobilized members 5 times (such as the 86th). His successor, Speaker John McCormack (D-MA), used the whip system more frequently, but continued to refrain from using party resources on controversial policy issues.

natural resources, transportation, or congressional reform. The leadership's absence is striking given that this period aligns with the adoption of major legislation in each of these areas, including the 1970 Clean Air Act (which established the Environmental Protection Agency), the 1968 Federal-Aid Highway Act (which extended civil rights, labor, and environmental protections to the federal highway system), and the 1970 Legislative Reorganization Act (see prior chapter for major provisions). And the sole housing mobilization effort was not undertaken until *after* the House passed the 1968 Fair Housing Act, which outlawed housing discrimination. The absence of official party resources on all but the least controversial of policy areas is unsurprising given the strong incentive to avoid promoting issues that divide the party. But it nevertheless reveals a striking vacuum in policy leadership in an era of major policy change.

In contrast, DSG was active across every policy area – more closely mirroring the distribution of legislative resources observed in the committee system.⁷⁷ The group mutually prioritized a wide range of policy issues, including legislation in the areas of social welfare, labor and the economy, education, urban affairs, civil rights, and foreign policy. Here the data suggests that DSG effectively supplanted the leadership as the major supplier of legislative mobilization in the House. The group mobilized members more frequently and around a greater number of policy issues.

The distribution of resources by legislative context also illuminates key differences in legislative machinery between groups and party leaders. Table 7.2 presents data on DSG and leadership whip activity by legislative context. DSG mobilization focused almost exclusively on the amendment stage of the legislative process (comprising 60% of all whip activity), while party leaders focused almost exclusively on member support for the final roll call vote (comprising

⁷⁷ Unfortunately, comprehensive committee hearing data is only available from 1970 (i.e. the second session of the 90th Congress). As a result, comparisons between committees, DSG, and the leadership should be interpreted with caution.

66% of all whip activity). Again, these differences are unsurprising given the leadership's strong incentive to avoid promoting controversial policy issues; conservative and liberal amendments considered in the Committee of the Whole were among the most contentious votes cast by members. But in an era of open rules in which any member had "virtually absolute freedom" (CQ 1986, 29-35) to participate on the floor prior to the final roll call vote, the allocation of DSG's legislative resources were better matched to the institutional environment than party leaders' resources.

The agenda-setting and coalition-building activities analyzed above illuminate patterns in resource allocation by liberals, Democratic leaders, and committees, between policy areas, but they do not enable comparisons *within* specific policy areas. How did DSG, party, and committee leaders apply their legislative resources and tools to pursue specific policy goals?

I now turn to an analysis of three policy areas that were highly prioritized by DSG, and the beneficiaries of legislative resources from both party and committee leaders: civil rights and civil liberties, defense, and campaign finance.

Civil Rights & Civil Liberties

Debates over civil rights and civil liberties dominated Congress in the 1950s and 1960s. Yet innovations in civil rights policy in the twentieth century are typically understood almost exclusively through executive branch leadership and interest group pressure. Congress's role is largely obstructionist – exemplified by the Senate filibuster and the House Rules Committee. But legislative leadership was critical to the transformation of federal civil rights policy, perhaps best exemplified by the 1964 Civil Rights Act and the 1965 Voting Rights Act. These bills provoked a hostile response from southern conservative Democrats in the House (and the Senate), which

significantly limited the official support they received from party leaders who were reticent to expend party resources on controversial legislation. And Judiciary Committee chairman Emanuel Celler (D-NY) played a vital role in marshaling the civil rights legislation through committee, but liberals fulfilled a critical leadership vacuum before and after legislation was reported from committee. DSG developed partnerships with key interests inside and outside of Congress, pressured Republicans to sign discharge petitions and support the legislation, polled members on key provisions to broker a bill with majority support, and coordinated an extensive on-the-floor whip network to combat conservative amendments to water down the bill.⁷⁸

Civil Rights Act of 1964. In 1963, as President Lyndon B. Johnson and interest groups promoted the adoption of a strong civil rights bill by applying political pressure *outside* of Congress, DSG played a critical leadership role mobilizing action *inside* of Congress. Throughout 1963 and 1964, DSG conducted whip counts of member support for the bill; developed research materials for members and key partnerships with the White House and the LCCR; and mobilized members to come to the floor when the Civil Rights Act came to a vote. And while the Judiciary Committee was responsible for drafting the legislation, the group's civil rights task force wrote the language for the fair employment provisions of the bill (Title VII) – a compromise between the Judiciary and Education & Labor committees. And after the bill was reported from committee, liberals' efforts protected the bill from a "seemingly endless number of teller votes" designed to weaken the bill on the floor.⁷⁹

⁷⁸ The archival record includes other evidence of DSG's important coalition-building work on civil rights legislation in the 1960s. For example, on April 29th, 1968, Sherwin Mackman, Assistant to President Johnson, sent a letter thanking Dick Conlon and enclosing a pen which Johnson used to sign the bill. Mackman noted that "The President thought you might like to have" the pen." DSG Papers, Part I, box 37, folder 1.

⁷⁹ December 22, 1965 letter to former Democratic presidential nominee (U.N. Ambassador) Adlai Stevenson, from congressional liaison Charles U. Daly: "...when, for a variety of reasons the House Whip System faltered a bit during the long battle for a civil rights bill, the Study Group was of valuable

In June 1963, President John F. Kennedy proposed a civil rights bill providing additional support for school desegregation, extending the tenure of the Civil Rights Commission, guaranteeing access to public accommodations, and empowering the Attorney General to file suits to enforce the law, among other provisions.⁸⁰ Shortly thereafter, DSG whips carried out a questionnaire on what was then known as the 1963 Civil Rights Act (see Table 7.3).⁸¹ DSG conducted the poll because the leadership could not devote official party resources to a measure that provoked such controversy within the party (Cox and McCubbins 2005). Absent DSG, the poll likely would have been conducted by interest groups whose counts were notoriously inaccurate, or by Administration officials who were likely to inquire only about those provisions in the Administration's original bill (provisions added in Congress were likely to be ignored).⁸²

assistance to those fighting to preserve the bill in the face of a seemingly endless number of teller votes.”, DSG Papers, Part I, box 23, folder 3.

⁸⁰ Kennedy's package also called for cutting off federal funds to any program where discrimination is practiced, limitations on discrimination in federal contracts, and establishing a Community Relations Service to broker resolution within local communities (CQ Almanac 1964).

⁸¹ 1963 Civil Rights Questionnaire, DSG Papers, Part I, box 43, folder 6.

⁸² Kennedy and Johnson Administration congressional liaison Charles U. Daly recalled that church, civic, business, and labor groups “were marked by how incredibly ineffectual they were despite some lofty pay levels.” [recorded interview, April 5, 1966, JFK Oral history program].

| Table 7.3: 1963 Civil Rights Questionnaire | |
|---|---------------------------|
| Question | Member Responses |
| 1. <i>Will you vote for a Civil Rights bill if it comes to the House floor?</i> | 39 - Yes 4 - No/Maybe |
| 2. <i>Would you vote for floor amendments designed to water-down strong committee-approved provisions on:</i> | |
| a. Attorney General's power re voting rights cases? | 38 - Yes 5 - No/Maybe |
| b. Public Accommodations? | 35 - Yes 8 - No/Maybe |
| c. Additional school desegregation authority to Commission of Education? | 37 - Yes 6 - No/Maybe |
| d. Establishment of Community Relations Service? | 37 - Yes 6 - No/Maybe |
| e. Withholding of Federal funds in programs where discrimination exists? | 36 - Yes 7 - No/Maybe |
| f. Establishment of permanent Commission on Equal Employment Opportunity? | 37 - Yes 6 - No/Maybe |
| 3. <i>If an F.E.P.C. provision is NOT contained in the Civil Rights bill reported by the Committee, would you support a leadership-backed floor amendment to have it inserted?</i> | 26 - Yes 17 - No/Maybe |
| 4. <i>Would you sign a discharge petition to bring the Civil Rights bill to the floor if the Rules Committee refuses to act?</i> | 30 - Yes 13 - No/Maybe |
| Source: DSG Papers, Part I, box 44, folder 2. | |
| Note: The questionnaire was carried out before the Judiciary Committee reported the bill. Despite the wording employed in question 1 above, these provisions had not yet been approved by the committee. All 43 responses are from mid-western and western state members, including Minnesota, Oklahoma, Arizona, Colorado, Montana, Oregon, California, and Idaho. | |

Instead, DSG emerged to provide Judiciary Chairman Emanuel Celler (D-NY) with a coalition-building partner. The group helped Celler craft a bill that would receive majority support, as well as to identify the most effective legislative strategy to move the bill from committee to the floor. Whips asked members if they would vote for a civil rights bill “if it comes to the House floor”; if they would sign a discharge petition if “the Rules Committee refuses to act”; if they would support a leadership-backed floor amendment to insert a provision providing for the Federal Employment Protection Committee (F.E.P.C.) if Judiciary did not

include it; and whether the member would vote in favor of floor amendments “designed to water-down strong committee-approved provisions.”

Only 43 copies of the questionnaire survived the past fifty years, and the remaining responses *should not* be interpreted as representative of all liberals or western members. However, the responses provide evidence that not all targeted members agreed with each other about the bill’s content or legislative strategy a priori; a majority coalition had to be developed over time. Indeed, the comments section of the questionnaires underscores members’ electoral concerns about the bill: Rep. Thomas Morris (D-NM) was “Very worried re political effect of this vote.” Rep. Victor Wickersham (D-OK): “He’s a little frightened.” Rep. Wayne Aspinall (D-CO) was “...getting some heat from back home.” And Rep. Compton I. White (D-ID): “He’s getting lots of heat on public accommodations and is worried.”

One of the provisions included in DSG’s poll but *not* in the Administration’s bill was the establishment of an Equal Employment Opportunity Commission (EEOC) covering most labor unions and corporations.⁸³ This provision would come to comprise Title VII, the fair employment section. While the bulk of the bill was a joint Administration-Judiciary product, this section was a compromise brokered by DSG between the Judiciary and Education & Labor committees. Civil rights task force chairman James Roosevelt (D-CA) worked closely with the leadership of both committees to draft this title (he served on Education & Labor) and testified before the Judiciary committee hearings in support of it (CQ 1965).⁸⁴ Celler appears to have

⁸³ Kennedy briefly mentioned employment discrimination in his two civil rights radio-television addresses in 1963. While the questionnaire is phrased in such a way as to indicate the committee bill had already been reported, DSG carried out the poll before the Judiciary Committee reported the bill.

⁸⁴ When the bill came to the floor, Roosevelt specifically mentioned Education & Labor Chairman Adam Clayton Powell (D-NY), Celler, James Corman (D-CA), James O’Hara (D-MI), as well as several other Democrats and Republicans (CQ 1965). Gale, Dick. 1965. “N.J. Solon Heads Powerful Group.” *Courier-Post*, Camden, New Jersey. April 1. Congressional liaison Charles U. Daly described Roosevelt as having “pushed very hard on FEPC [Fair Employment Practices Commission] and other factors.” April 5, 1966 oral history interview.

adopted a limited role in the initial drafting of this title with the expectation that he could later use his position as floor manager to rewrite the title to his preference.⁸⁵

The Judiciary Committee reported the bill on November 20 – a mere two days before the assassination of President Kennedy. It included all but two of the provisions inquired about by the DSG poll – left out were provisions providing for the F.E.P.C. and a Community Relations Service. As a successful (and embarrassing) discharge petition (filed by Chairman Celler in December 1963) became increasingly likely, Rules Chairman Howard Smith (D-VA) relented, scheduled hearings, and eventually reported an open rule for the bill on January 30th.⁸⁶ This gave conservatives ample opportunity to attack the bill on the floor.

In preparation for the debate, DSG chairman Chet Holifield (D-CA), staff director Bill Phillips, and task force chairman Roosevelt, met regularly with the Leadership Conference on Civil Rights and White House congressional liaison Charles U. Daly, to develop a legislative strategy.⁸⁷ The Democratic leadership was not present at these meetings; Celler attended occasionally. LCCR and church groups served as key intermediaries to broker necessary support

⁸⁵ Celler offered 7 amendments to Title VII on the floor; all were adopted. He offered only one other amendment to the bill on the floor.

⁸⁶ Smith (D-VA) promised that the committee would act on the bill in January, but his own staunch opposition to the bill and the impending Christmas recess raised concerns for liberals. On December 9, 1963, Celler filed a discharge petition to force the bill out of Rules in anticipation of a series of never-ending hearings: “We have had 6 months of hearings. All that needs to be said has been said.” Smith was moved to act as the petition got closer to the necessary number of signatures. Comments of Celler on the House floor. Part II, box 161, folder 4: Congressional Record – House, page 2271, Dec 9, 1963

⁸⁷ The archival record suggests these meetings began at least as early as January 1963 (January 9, 1963 letter from LCCR to Bill Phillips thanking him for attending the Sunday evening meeting, DSG Papers, Part I, box 43, folder 2). Southern members viewed the relationship between DSG and these interest groups as circumspect. For example, Rep. Thomas Curtis (R-MO) took to the House floor to note that “various civil rights which are sponsoring the political maneuvers of the discharge petition are also working closely with...the so-called Democratic study group...to further the efforts of this Democratic liberal group to finance its plans to elect more liberals like themselves in the next Congress.” Curtis inserted a newspaper article into the Record, and noted that “any group appropriating for itself the label “liberal” should be especially careful about the methods it employs” to support its operations [Congressional Record, 24 December 1963, H25552].

from Republicans (CQ 1965).⁸⁸ Meanwhile, Phillips worked with a staff of four full-time and the two part-time employees to develop at-ready research materials to respond to any request by a member about a particular title of the bill.⁸⁹ The leadership did not provide informational resources to members.

Table 7.4: Average Member Vote Participation, 1964 Civil Rights Act

| Date | Standing Vote | Teller Vote |
|-------------------------------------|---------------|-------------|
| Monday, February 3 rd | 192 | 258 |
| Tuesday, February 4 th | 198 | 256 |
| Wednesday, February 5 th | 196 | 263 |
| Thursday, February 6 th | 168 | 260 |
| Friday, February 7 th | 148 | 273 |
| Saturday, February 8 th | 201 | 301 |
| Sunday, February 9 th | No Votes | No Votes |
| Monday, February 10 th | 185 | 281 |

Source: CQ Almanac 1965

Note: Standing votes were oftentimes held before a teller vote. While both were unrecorded during this period, average member participation was significantly higher on teller votes than standing votes (in part because members had more time to get to the floor from their offices for a teller vote than for a standing vote).

House consideration of the bill began on January 31st and continued for nine days (through February 10th).⁹⁰ Prior to the House convening each day, DSG Secretary-Whip Frank

⁸⁸ Obtaining necessary Republican support for the bill required a strategic balance of pressure without alienation. DSG developed a strategy to “dramatize the failure of most Republicans to sign the discharge petition” and express support for the bill, but limiting public attacks against Republicans [August 30, 1963 memo “Strictly confidential Democratic Strategy in Dealing with Republicans on the Civil Rights Bill of 1963.” DSG Papers, Part I, box 43, folder 3; Dear Colleague letter requesting attendance at an “emergency civil rights meeting, Part I, box 58, folder 12]. In a February 28, 1964 letter from Richard Bolling (D-MO) to Sidney Scheuer of the National Committee for an Effective Congress, Bolling wrote, “I want to thank you for the significant role that NCEC played during the Civil Rights legislative struggle in the House. The contact and coordination with House Republicans provided by your staff was a necessary ingredient to the complex operation in support of the bill.” Part I, box 32, folder 7.

⁸⁹ In addition to analyzing the specific titles of the bill, these materials also explained the procedural strategy used to bring the bill to the floor. For example, Democrats opposed to signing a discharge petition in order to protect committee autonomy (not out of an opposition to the underlying bill), suggested using the Calendar Wednesday procedure. DSG distributed letters, memos, and many members even took to the floor to explain why the alphabetical call of the committees under Calendar Wednesday was not effective given the number of committees that fell before Judiciary (see Transcript of Floor Speech, Rep. Richard Bolling (D-MO), 9 December 1963; January 30, 1963 Memo from Blatnik to Members re Upcoming Debate on Civil Rights Bill, DSG Papers, Part II, box 38, folder 1).

⁹⁰ The House did not convene on Sunday, February 9th.

Thompson (D-NJ), Rep. Richard Bolling (D-MO), Daly, Johnson special assistant Lawrence O'Brien, and representatives for the LCCR, met to discuss strategy in Thompson's office; the leadership did not attend (CQ 1965). Thompson was in charge of marshalling members as part of the regular DSG whip system, but also the "buddy system." He led a system of 19 whips, who worked in groups to cover debate on specific bill titles; each team was responsible for maintaining the attendance of anywhere from 3-7 members. Alongside DSG's whips was a series of "gallery spotters" responsible for keeping track of the attendance and votes of 4-5 congressmen. This effort was coordinated by Clarence Mitchell of the NAACP, and fulfilled by representatives of the various LCCR organizations.

Unfortunately, it is impossible to determine the direct impact of DSG's whip system on member attendance as all amendment votes were unrecorded. However, average member participation in teller votes from February 3-10th (Table 7.4) held steady, suggesting that liberals were effective in maintaining member attendance.⁹¹ While steep attendance drop offs were typical in the 1960s, attendance was strongest when liberals needed it most on February 8th when Title VII – which DSG helped draft – was considered.

In contrast to the close coordination observed among liberals, the Southern Caucus was poorly organized. The group met once on January 30th – the day the Rules Committee reported a rule for the bill. And despite having significant institutional resources at their disposal, the group's own whip system headed by Rep. Thomas G. Abernathy (D-MS) only sprang to action a handful of times, and southerners had no staffers on the floor (or groups in the gallery) to assist

⁹¹ Standing votes often occur after a voice vote produces an uncertain outcome; members "rise from their seats to be counted...Only those present and voting are announced" (House Rules Committee, 2017). In the civil rights debate, standing votes were often followed by a teller vote whereby members formed into two lines to be counted as "yay" or "nay" by tellers. Individual members' votes are unrecorded on both standing and teller votes. Teller votes give members more time to get to the floor prior to the culmination of the vote, and thus vote participation levels are inherently higher than with comparable standing votes.

them with information and mobilization (CQ 1965). The difference in organization was so notable that Rep. F. Edward Hebert (D-LA), conservative Armed Services chairman and staunch opponent of civil rights, took to the House floor to address DSG's efforts: "To my friends who sit in this section, known as *the study group*, let me pay you a tribute and a compliment. You are here on the job. I disagree with you but I respect you and I admire your courage and your determination to be here and to be counted" (emphasis added).⁹²

The strong attendance record ensured that liberals did not lose a single vote to conservatives; Celler's bill emerged from the final roll call unscathed. In total, 122 amendments were offered on the floor. 94 amendments, nearly all from southern Democrats, were rejected; 28 were accepted, all with the support or neutrality of the bill's floor managers.⁹³ Most of the accepted amendments were technical changes to the bill, although two significant amendments were adopted. The first was a surprising proposal by Rules Chairman Smith on February 8th to add "sex" to the list of protected classes under Title VII (barring employment discrimination).⁹⁴ It was adopted 168-133. The second was a February 10th proposal to establish a Community

⁹² *Congressional Record*, 1908, 5 February 1964. DSG Papers, Part I, box 43, folder 4. Hebert's comments are especially notable because he was notoriously disrespectful to junior members of Congress, infamously referring to the Watergate Babies in 1974 as "boys and girls" before they promptly removed him from his chairmanship.

⁹³ Rep. Curtis (R-MO) again took to the floor to bemoan the "reported attitude of the Democratic study group," which he accused of having "caucused and in effect said they had agreed to oppose all amendments, regardless of their merits." [Congressional Record, 8 February 1964, H2558].

⁹⁴ Smith's motivation in proposing this amendment has been the subject of considerable debate (Menand 2014) – did he offer it as a "poison pill" to doom the bill in the House or Senate, or as a genuine advancement in women's rights. The addition of "sex" to the bill's titles appears to have been part of a broader conservative strategy (southerners offered amendments to Title II, III, IV, and V), but the motivation for these efforts is not clear. All, of course, were rejected, except for Smith's amendment. Unfortunately, it is impossible to determine if Smith's appeals to the "white men" on the floor to cast a vote in favor of "his wife, or his widow, or his daughter, or his sister" ultimately appealed to conservatives or liberals. While unrecorded votes make individual-level support impossible to determine, the high voter participation rates on the amendment suggest that at least *some* conservatives and *some* liberals supported it.

Relations Service as a new Title X.⁹⁵ DSG polled members about this provision in 1963 (it received significant member support), but Celler dropped it from the committee's bill alongside the F.E.P.C. provision.⁹⁶

On February 10th, the bill was finally approved by a vote of 290-130; the Senate began several months of consideration before ultimately adopting the bill on June 19th by a vote of 73-27. It was signed by Johnson on July 2nd.

Voting Rights Act of 1965. After the 1964 election evidenced the persistence of mass voting discrimination, civil rights groups launched almost immediate voter registration drives in several southern states. While some minor protections of voting rights were included as part of the 1964 Civil Rights Act (Title I), they were insufficient to protect against the myriad of discriminatory practices in several states. Their efforts in Dallas County, Alabama received national attention when their peaceful protests were met with mass arrests and police violence.⁹⁷ DSG helped promote an immediate response by Congress to this pressing public policy problem; the Democratic leadership acquiesced any responsibility to the Judiciary Committee, which awaited presidential leadership. From January to July 1965, the group organized a "fact-finding" trip to Dallas County, Alabama at the height of police backlash against voter registration drives in the area; brokered connections between members and key civil rights groups and activists; and mobilized members to come to the floor when the Voting Rights Act came to a vote. DSG

⁹⁵ This title provided for the "creation of a Community Relations Service within the Commerce Department to aid communities in resolving disputes related to discriminatory practices based on race, color or national origin" (CQ 1964). It was adopted via voice vote.

⁹⁶ While the small surviving DSG questionnaires should not be interpreted as representative of all members, only 2 of the 43 members expressed opposition to the Community Relations Service. Meanwhile, 21 of the 43 members expressed concern or opposition to the F.E.P.C. provision. No attempt was made by a member on the floor to add the FEPC provision back to the bill.

⁹⁷ The protests were built around mass voter registration drives in Selma and Montgomery, Alabama (which at the time, only allowed citizens to register to vote on two days of each month). Dallas County Sheriff Jim Clark encouraged a violent police response and arrested hundreds of peaceful protesters and activists.

provided liberals with the legislative platform, resources, and tools necessary to promote member interest in voting rights legislation, and constructed a successful coalition in support of the bill on the floor.

After violence broke out in response to protesters in Selma and Montgomery, Alabama, Rep. Charlie Diggs (D-MI), chairman of DSG's civil rights steering committee, arranged a February 5th factfinding trip for members to observe the conditions in the state firsthand. Nearly all steering committee members participated in the trip, including Reps. John Bingham (D-NY), Joseph Resnick (D-NY), William Fitz Ryan (D-NY), James Scheuer (D-NY), John Dow (D-NY), Don Edwards (D-CA), Jeffrey Cohelan (D-CA), Kenneth Dyal (D-CA), Augustus Hawkins (D-CA), Weston Vivian (D-MI), as well as three Republicans, Reps. Ogden Reid (R-NY), Bradford Morse (R-MA) and Charles Mathias (R-MD).⁹⁸ It marked the first time that a delegation of members had gone to observe civil rights protests, and it was the first time many members of the predominantly white delegation had even been to the south. Diggs recalled that the members:

“had no...real understanding of segregation and how it applied to...Black folks in those areas. It was rather academic and so I thought that their coming to Selma at that time would give them a deeper understanding of the inequities and the injustices that existed in Alabama and other parts of the south.”⁹⁹

During the trip, members visited the city jail where protesters were held; met for two and a half hours with the mayor, sheriff, and nearly all local elected officials; and conducted numerous interviews with local residents and protesters about their experiences.¹⁰⁰ They also met with Dr.

⁹⁸ Rep. Adam Clayton Powell (D-NY) and Robert C. Nix (D-PA) each sent staffers to represent them (Powell also sent his son on his behalf). Rep. John Conyers (D-MI) was also a member of the Steering Committee, but did not participate in the trip. Handwritten notecard with Civil Rights Steering Committee Membership, DSG Papers, Part II, box 6, folder 2.

⁹⁹ Interview with Rep. Charlie Diggs (D-MI), conducted by Blackside, Inc. on November 6, 1986, *Eyes on the Prize: America's Civil Rights Years (1954-1965)*.

¹⁰⁰ The full list of local officials included the board of registrars, the superintendent of education, the circuit judge, the probate judge, and the city and county attorney. Diggs credited Rep. Glenn Andrews (D-AL), who represented Dallas County, with helping members arrange the meeting. He also noted the tense tone of the meeting: “we were confronted by an uncomfortable-appearing mayor and a very belligerent city attorney. The mayor immediately began reading a prepared statement in which he said he did not want any

Martin Luther King, Jr., Ralph Abernathy, and other activists on the ground. According to Diggs, the goal of the trip was to signal to local officials that they “better start listening” to protesters or Congress will act for them; to add “credibility to Dr. King and the entire movement;” and, of course, to discuss specific ideas that “the Congressmen were going to take legislatively.”¹⁰¹ While the Judiciary Committee invited many civil rights leaders to testify before the committee’s eventual hearings, it did not organize a trip for themselves or their colleagues to observe the events up close; rather the effort stemmed from Diggs’s steering committee.

Upon their return, the group took to the floor to share their experiences with the leadership and other members.¹⁰² Diggs, Ryan, Hawkins, Dyal, Scheuer, and several other members, spoke of the discrimination they witnessed, and implored their colleagues to immediately introduce and support legislation protecting voting rights for all citizens.¹⁰³ They also inserted the “testimony” they took with local residents and protesters while in Alabama into the Record; the members conducted at least 13 interviews for the *Record*.¹⁰⁴ This floor activity widely disseminated information from members’ most trusted source – other members – and gave them ample time to digest it before any eventual legislation came to a vote (Kingdon 1973). This timely, trusted, and pre-digested information provided by liberals was especially significant given

outside help and did not need any help and just generally characterized us [the delegation of members] as a group of agitators despite the fact that we are Members of Congress who certainly have a role to play in any matter relating to this subject.” Members asked local residents about their experiences registering to vote, including their personal experience paying poll taxes. *Congressional Record* 9 February 1965 H2422-2430.

¹⁰¹ Interview, Diggs, November 6, 1986.

¹⁰² Dear Colleague letter from Charlie Diggs (D-MI) informing members of his request for a special order from Speaker John McCormack (D-MA), DSG Papers, Part I, box 32, folder 7.

¹⁰³ For example, whites were given offered assistance to fill out their voter registration forms, and their questions about the complicated registration form were answered. And whites were given preferential placement at the front of voter registration lines, while blacks were forced to wait at the end. Given that Alabama only allowed citizens to register on two days each month, this often ensured that the office closed at the end of the day without any blacks having successfully registered to vote.

¹⁰⁴ Diggs also inserted Alabama voter registration forms, which required applicants to write from dictation a portion of the Constitution, answer questions about the governmental process, read passages of the Constitution and answer questions about the passages, and sign an “oath of loyalty.”

that critics later charged that the Judiciary Committee's efforts were a "hastily contrived, patchwork response" to the voting problems in southern states.¹⁰⁵

The February 5th trip did not change opinions so much as move "people who were either neutral or uninterested...to take active roles." Members whose northeastern, western, or mid-western constituencies were not directly impacted by the events in Dallas County came to understand the importance of immediate, strong federal action. A day after the trip (and as violence escalated in Alabama), President Johnson announced that he would send a voting rights bill to Congress. Shortly thereafter, the steering committee went to the White House to meet with Vice President Hubert Humphrey, Attorney General Nicholas Katzenbach, and the White House counsel (the latter two were responsible for drafting Johnson's proposed bill). Members reported on their fact-finding trip, and advocated for legislation providing for federal voter registration in areas with a history of racial discrimination, and the elimination of "literacy tests" and "poll taxes" in local elections.¹⁰⁶

On March 17th, the same day that Johnson submitted his drafted bill, the steering committee met to discuss the bill and develop a legislative strategy.¹⁰⁷ Over the next two months – as the bill made its way through the Judiciary Committee – DSG developed a liaison with the LCCR (mirroring the arrangement on civil rights from last year) and repeatedly polled members' preferences. DSG and LCCR leaders (including Rauh and Mitchell) each attended group meetings.¹⁰⁸ The liaison enabled strategy discussions about the strengths and weaknesses of the

¹⁰⁵ Republican views, Judiciary Committee Report, 1965.

¹⁰⁶ Draft letter to President Johnson from Diggs, DSG Papers, Part I, box 32, folder 7. February 1965 telegram to President Johnson, Part II, box 38, folder 3.

¹⁰⁷ Johnson's bill provided for the appointment of federal examiners in areas where fewer than 50 percent of voting age residents were registered to vote on the date (or voted) in the 1964 election, and suspended literacy tests.

¹⁰⁸ Various memos re Civil Rights Steering Committee Meetings, including attendance lists, DSG Papers, Part I, box 70, folder 2.

House and Senate versions of the bill, how to leverage differences in the chambers' legislative processes to produce the strongest bill, and how members should publicly discuss the events in Dallas County (and the Johnson Administration's response to them). LCCR also used the meetings to identify the provisions of the bill that most concerned members so the group could prepare and distribute research on those issues to them.¹⁰⁹

Liberals' early organizing efforts were especially important in stemming moderate support for the Republican substitute developed by Rep. William McCulloch (R-OH), ranking Republican on the Judiciary Committee. McCulloch's bill dropped the poll tax ban, replacing it with an authorization for the Attorney General to file suit against discriminatory poll taxes and providing for federal voting examiners. In the absence of an official Democratic count (Boggs again abdicated responsibility for the bill), DSG conducted a "nose count" of member support for the Administration's bill and the McCulloch substitute, which was likely to garner genuine and strategic support from Republicans and southern Democrats.¹¹⁰ The group also invited AG Katzenbach and the Justice Department to brief members on the Administration's bill and answer their questions; and prepared *Fact Sheets* on the bill and the Republican substitute to empower members to cast knowledgeable votes, respond to Republican criticism, and participate in debate on the floor.¹¹¹

¹⁰⁹ For example, at a May 18th, 1965 meeting, the DSG executive committee discussed various provisions of the bill, including the prohibition of "third party" intimidation in voter registration. Joseph Rauh "said a memorandum being prepared on the "third party" intimidation ban by statute will be sent to DSG for circulation." [DSG Papers, box 151, folder 6].

¹¹⁰ Like the 1964 Civil Rights Act, Democratic whip Hale Boggs (D-LA) abdicated any leadership role on the Voting Rights Act and did not mobilize the party's whip system to count votes. The Republican substitute, introduced in April. Minority leader Gerald Ford (R-MI) supported the bill and served as a public co-sponsor. Memo re Nose count on Republican substitute for voting rights bill, DSG Papers, Part I, box 70, folder 3. Unfortunately, the counts are not a part of the archival record. DSG memos suggest that counts were delivered to Secretary-Whip Mo Udall (D-AZ), rather than DSG's offices.

¹¹¹ DSG Voting Rights Fact Sheet comparing three different versions of the bill, Part I, box 70, folder 3. Memo from John Brademas (D-IN) to DSG Members re Immediate Meeting on Voting Rights Bill, Part I, box 70, folder 1. Comparative Analysis of LCCR, Administration, and Republican voting rights

On July 6th, the bill came to the floor after a 5-week delay in the Rules Committee.¹¹² In preparation for the vote, DSG Secretary-Whip Mo Udall (D-AZ) organized a 25-person whip team and triggered the “buddy system,” assigning each whip 6 colleagues whom they were responsible for keeping track of throughout the entirety of the bill’s consideration.¹¹³ While the voting rights bill would be considered on the floor under similar conditions as the civil rights bill the previous year, opponents adopted a different strategy. If conservatives strategically attacked the 1964 bill by subjecting it to a slog of amendments, they attacked the 1965 bill by lining up in support of the Republican substitute. It was, as one southern Democrat described, the less “objectionable” of the two voting rights bills.¹¹⁴ Thus the key vote was on the Republican substitute. It was here that early efforts by liberals inside of Congress and interest groups outside of Congress to lobby Republicans to support a strong voting rights bill took on a renewed importance. If the Republican substitute was viewed by southern opponents as the “weaker” of the two bills, then Republican voting rights supporters were more likely to support the strong, Judiciary-reported bill; the substitute was ultimately rejected 166 to 215.

In total, only 16 amendments were offered on the floor, many of which were directed at the Republican substitute. Only one amendment, which provided for penalties to falsification of voter registration information and vote buying in federal elections, was accepted.¹¹⁵ Like the civil rights bill the previous year, liberals did not lose a single amendment on the floor and the

legislation (DSG Papers, Part I, box 70, folder 2). March 17, 1965 memo re DSG civil rights steering committee meeting minutes. DSG Papers, Part II, box 38, folder 3.

¹¹² The Judiciary Committee reported the bill on June 1, shortly after the Senate adopted the Voting Rights bill by a 78-18 roll call vote. The Rules Committee granted an open rule on July 1st, which allowed for 10 hours of debate, and authorized all amendments and the Republican bill to be offered as a substitute for the Judiciary bill.

¹¹³ Memo re Plans for Buddy System/Whips during voting rights bill consideration. DSG Papers, Part I, box 33, folder 3.

¹¹⁴ Comments of Rep. William Tuck (D-VA) on the House floor (CQ Almanac 1965, 534-66).

¹¹⁵ It was sponsored by Rep. William C. Cramer (R-FL), and adopted by a teller vote of 136-132, and a 253-165 roll call vote.

Judiciary Committee's bill remained intact. The bill was finally approved on July 9th by a vote of 333 to 85.

The 1965 Voting Rights Act represents an unusually quick institutional response by the static legislative branch to a pressing national policy problem.¹¹⁶ While interest group pressure and presidential leadership continued to play an important role (as in the 1964 civil rights bill), DSG enabled liberals inside Congress to engage in the early legislative activities necessary to motivate members' participation and disseminate trusted information about the problem of voting discrimination in southern states. These efforts helped broker Republican support for the Judiciary Committee's bill (over the Republican substitute), and protect against charges from critics that the bill was a hasty, ill-conceived response to the events in Selma and Montgomery, Alabama. Indeed, they even helped ensure that the House ultimately adopted a stronger voting rights bill than did the Senate. After a House-Senate conference committee – made necessary by the House's adoption of a flat ban on poll taxes – the bill was signed into law by President Johnson on August 6, 1965.¹¹⁷

1960s-era civil rights legislation is often considered an 'idea whose time had come' (Purdam 2014), and it is important not to overstate DSG's role; interest groups, the executive branch, public opinion shifts, the courts, the Republican minority, and the Senate, each assumed key leadership roles. The account offered here adds liberal-led innovations in legislative

¹¹⁶ It is important to note that voter discrimination existed long before the 1964 election and the 1964-1965 events in Selma and Montgomery, Alabama. However, the protests and violent police response necessitated immediate congressional attention.

¹¹⁷ Both Senate Majority Leader Mike Mansfield (D-MT) and Minority Leader McKinley Dirksen (R-IL) warned the House that if they adopted an outright ban on the poll tax, "the Senate will almost certainly send that bill to conference," as Mansfield described (CQ Almanac 1965, 534-66). And indeed, the poll tax ban was ultimately dropped in conference. Civil rights groups ultimately advocated for dropping the poll tax ban to ensure support for the conference report. AG Katzenbach circulated a letter from Martin Luther King Jr. suggesting that King "indicated that the conference bill should be speedily enacted into law and that such prompt 'enactment is the overriding consideration'" (CQ 1965).

machinery – developed in partnership with outside groups and the executive – as an additional significant factor in the adoption of civil rights legislation. Legislative innovations made it possible for policy “ideas” to adapt to difficult legislative procedure (Gueron 1995) and overcome entrenched opposition on the House floor. In the absence of leadership support and amidst a slow committee-led process, liberals developed their own coalition building resources and tools to motivate member support and participation to produce legislation that would receive majority support on the House floor. If the civil rights movement provided the motivations and justification for members to act (Sanders 1997), DSG enabled House members to transform that political will into concrete legislative victories. Ultimately, their joint efforts ensured that the static House of Representatives had the capacity to immediately respond to pressing public policy problems.

Defense Policy

For much of the 20th century, defense policymaking has historically been not only bipartisan, but non-controversial. It is a policy area shaped by presidential leadership, and frequent congressional acquiescence to Administration and military requests. Conservative leadership over the House and Senate Armed Services Committee, and senior party leaders who personally remembered World War II, limited substantive debate about the scope, cost, and effectiveness of national defense programs for much of the twentieth century. Neither committees nor party leaders expended legislative resources to promote meaningful discussion about the pros and cons of specific weapons programs, or the cost of ever-increasing defense spending relative to domestic programs.

In late 1960s and early 1970s, liberal Democrats and Republicans forced floor votes and public and congressional debate over the annual defense procurement authorization bill. Through DSG, liberals brokered a network of likeminded allies in the House and Senate to consult with

outside experts and study the defense budget, line by line, weapons program by weapons program. Their new-found expertise enabled them to maximize press attention, pre-emptively change the Administration's budget requests, lobby and persuade their colleagues, develop amendments, and force sustained debate in committee and on the House and Senate floor. While public opinion had already begun to turn against unbridled military spending, the joint efforts of liberals in Congress produced an unusually quick and vast response by the chamber itself. Their efforts enabled junior members to challenge biases in the formal structures of the House *before* any committee reforms were adopted, and transformed congressional debate over military spending throughout the 20th century.

FY1970 Defense Authorization Bill. In the spring of 1969, liberals in the House and Senate began actively working together to bypass the Armed Services and Appropriations Committees' seemingly never-ending support of increased military spending. Liberals' efforts emphasized consultations with outside experts; organizing conferences and ad hoc "hearings" to study defense spending; mobilizing members to participate in extensive floor debates in both chambers; and producing member-authored position papers on the effectiveness, efficiency, and cost of individual weapons systems (Sheehan 1969; Unna 1969). Their policymaking activities stood in sharp contrast to the typical authorization and appropriations processes, which exclusively emphasized the expertise of Administration and military officials; utilized closed door committee hearings; and suppressed opposition and member participation on the floor, especially by non-committee members.

On the House side, liberals initiated their efforts through the establishment of a DSG task force on international affairs and defense policy as part of its renewed policy focus in the wake of

Nixon's election.¹¹⁸ It provided a forum for members to learn about and develop policy unburdened by the strong opposition within the Armed Services Committee – chaired by conservative Rep. L. Mendel Rivers (D-SC) – to any procurement cuts. The task force produced position papers on Nixon's Safeguard proposal and the Anti-Ballistic Missile (ABM) system from three different perspectives and distributed them to members.¹¹⁹ Controversy over ABM began in 1968 under President Lyndon Johnson, but significantly increased in 1969 as the Army began investigating new ABM sites throughout the country as part of a proposed expansion under Nixon.¹²⁰ As part of their research into ABM, task force co-chairmen Jonathan Bingham (D-NY) and Lucien Nedzi (D-MI) held an "ad hoc hearing" on the effect of fallout from nuclear weapons on health. Committees had largely elected to ignore the controversial issue altogether; the last official hearing on the topic was held in 1963 – six years earlier – by the Joint Committee on Atomic Energy. While the task force was eventually forced to remove DSG's name from all related materials, discourage the press from attending, and hold the hearing in an "out of the way room" in the Capitol, the hearing nevertheless proceeded as planned.¹²¹ Absent DSG, no legislative resources in the House would have been allocated on this critical policy issue.

¹¹⁸ DSG leaders viewed the organization as the voice of the opposition in Congress. In a letter written immediately after the 1968 elections, Fraser said "We lost the White House...and as a result, heavy new responsibilities have been thrust on DSG and its members." DSG Papers, Part I, box 6, folder 5.

¹¹⁹ Safeguard ABM was an anti-ballistic missile system program developed by the U.S. Army. It was designed to protect the Air Force Minuteman ICBM silos from attack (initially from China, and later, the Soviet Union). Papers advocating against deployment, in support of deployment, and favoring "hard-point defense," but opposing area defense, were widely distributed to members. ABM Anti-Ballistic Missile System DSG Report, May 1969. September 18, 1969 memo from Fraser to DSG Members re Task Force Studies of ABM. Various position papers. Part II, box 102, folder 7. Eventually a position paper authored by Rep. Chet Holifield, former chairman of the Joint Committee on Atomic Energy, was prepared and circulated as well.

¹²⁰ The Army initially examined potential sites (i.e. where radars and nuclear-tipped antimissile missiles would be based) near large population centers. When public opinion exposed opposition to these sites, Nixon's Administration began investigating sites far away from major cities (to blunt the potential fallout of counter attacks).

¹²¹ Dear Colleague letter from Bingham and Nedzi (Part I, box 36, folder 10). Summary of activities of task force, 91st Congress, Part I, box 36, folder 11.

In conjunction with the task force, DSG undertook four broader-scale efforts in the summer of 1969. First, DSG prepared a resolution asking for a “full-scale examination of military spending” to be considered at the June meeting of the Democratic Caucus.¹²² The goal was to identify as many defense cuts within the next year as possible without harming national security. In contrast, the Armed Services’ Committee refused to allow even a single ABM critic to testify in closed-door hearing (CQ Almanac 1969). Second, DSG staff began preparing an extensive analysis of every new weapons system proposed by the Defense Department. The deep red-printed “Fact Book on Fiscal Year 1970 Defense Budget” described each weapons system, the costs associated with procurement, the rationale in support of the item, and a critique of the program.¹²³ It was designed for members to easily use on the floor to offer arguments in support of, and opposition to, specific military programs. The only other resources available to members were the inevitably-biased military budget requests.

Third, the group conducted a poll of members’ opinion about military spending cuts at the request of Rep. Joseph Addabbo (D-NY) who served on the Defense Appropriations Subcommittee. The results revealed that 92% of DSG members favored a reduction of defense spending, 67% favored an across the board reduction in spending, and 59% favored the establishment of a ceiling on non-Vietnam defense expenditures.¹²⁴ And finally, DSG organized a 6-week seminar on foreign and defense policy in the summer of 1969 to help rank and file

¹²² June 9, 1969 letter to Caucus Chair Dan Rostenkowski (D-IL) re Notice of Plan to Pose Resolution Before Caucus. Part II, box 41, folder 4. Unfortunately, I have been unable to confirm whether the resolution was adopted.

¹²³ On September 26, 1969, DSG Chairman Donald M. Fraser (D-MN) took to the floor to decry the Congressional Record. 26 September 1969, H27316.

¹²⁴ Addabbo ranked at the bottom of the subcommittee hierarchy, although he likely believed that firm numbers on support for decreased military spending would further his own efforts to decrease appropriations from within the committee. June 10, 1969 DSG memo to Members requesting members’ response to the defense spending poll. July 23, 1969 letter from Addabbo re Poll results. Part II, box 41, folder 4. When Addabbo became chair of the Appropriations Committee in the 1980s, he frequently criticized Reagan’s budget requests, especially on defense.

members “explore the relationships between foreign policy and military affairs and their impact on defense budgeting and spending.”¹²⁵ Invited speakers included former executive branch officials such as Adrian Fisher, former director of the Arms Control and Disarmament Agency, and Paul Warnke, former Assistant Secretary of Defense for International Security Affairs, as well as outside experts, including political scientist William Kaufmann and mathematician and scientist Jeremy J. Stone. The seminar was a crash-course in the technology and politics of defense spending for members – most of whom knew little about the topic.

Separately, task force co-chairman Bingham worked with 3 representatives and 4 senators to organize a bipartisan “Conference on the Planning of New Priorities.”¹²⁶ All of the participants were junior members who were frustrated about their inability to participate within their respective chambers.¹²⁷ The Conference was chaired by Arthur Larson, who was head of the U.S. Information Agency under President Dwight D. Eisenhower, and featured several academics and former executive branch officials. Unlike the position papers that focused on single weapons systems, the Conference focused on the overall defense budget and placed it in context of domestic spending on programs like food stamps.¹²⁸ The unvarnished critiques and reflections offered by the experts – discouraged by both Armed Services committees and party leaders – at the conference were covered by national newspapers (Beckman 1969).

¹²⁵ June 19, 1969 memo from Fraser to Members re DSG Seminar on Foreign and Defense Policy, Part II, box 101, folder 2.

¹²⁶ The legislative sponsors include Reps. Bingham (D-NY), Seymour Halpern (R-NY), George W. Brown (D-CA), and Richard Ottinger (D-NY), as well as Senators William B. Saxbe (R-OH), Alan Cranston (D-CA), Harold Hughes (D-IA), and Marlow W. Cook (R-NY).

¹²⁷ In a press conference announcing the conference, Bingham criticized the cozy relationships his more senior colleagues developed with the military: “Over the years, a majority of the members [of Armed Services] have become close to the military and tend to do what the military thinks and wants.” Senator Saxbe (R-OH) described their efforts: “We’re all junior and we feel it is up to us to have some influence” (Unna 1969).

¹²⁸ Senator Saxbe (R-OH) “suggested that one way to help Congress gain a better understanding of the country’s real priorities would be to have the senior members of the armed services and appropriations committees sit in on a hunger hearing for a change.”

Table 7.5: Amendments to the House Defense Authorization Bill, 1964-1972

| Adopted Year | Fiscal Year | Total Amendments | Sponsored by Armed Services Member | Sponsored by Non-Armed Services Member |
|--------------|-------------|------------------|------------------------------------|--|
| 1964 | 1965 | 4 | 2 | 2 |
| 1965 | 1966 | 0 | - | - |
| 1966 | 1967 | 1 | 1 | - |
| 1967 | 1968 | 5 | 2 | 3 |
| 1968 | 1969 | 7 | 4 | 3 |
| 1969 | 1970 | 21 | 12 | 9 |
| 1970 | 1971 | 23 | 8 | 15 |
| 1971 | 1972 | 21 | 12 | 9 |
| 1972 | 1973 | 14 | 6 | 8 |

Source: Data on amendments offered on the House floor collected from CQ Almanac (1964-1972 editions).

Note: 1964 marks the first year that all defense R&D had to be authorized before appropriations could be made, which renders year-to-year comparisons before FY1965 difficult.

Much of liberals' focus in both chambers emphasized almost immediate spending changes in the FY1970 budget. The authorization bill reached the Senate floor first, and the upper chamber spent most of summer 1969 debating Nixon's ABM proposal. As Senate liberals did not have their own information resources – provided neither by party leaders nor committees – they relied heavily on DSG's research. When the bill first came to the floor in June, Senator Walter Mondale (D-MN) entered DSG's ABM Fact Book into the *Record*. He described the report as “a fair, lucid, and factual presentation” of the Safeguard system, and encouraged his undecided colleagues to consult the report.¹²⁹ Mondale also noted that many of his colleagues, ABM supporters and opponents alike, had already consulted DSG's analysis. After two months of debate, the Senate was nearly deadlocked, but ultimately voted 51-49 to reject a motion to defer deployment of ABM.

In the House, Nedzi and four other members – a group of Democrats and Republicans known as the “fearless five” – helped lead opposition from within the Armed Services Committee (CQ Almanac 1969; Hunter 1969). They proposed several amendments to cut procurement

¹²⁹ *Congressional Record* 20 June 1969, S16738.

funds, including to Safeguard ABM; all were rejected. Nedzi was one of three members (of 39) who ultimately voted against the committee drafted bill on September 26th – a significant shift in committee unity itself. He was also one of 5 members who made the then-unusual move of filing “additional views” to the committee report decrying the waste and inefficiency of many of the authorized programs. In theory, committee reports provide a pre-established mechanism for rank and file members to obtain the information necessary to prepare amendments and participate on the floor. However, the Armed Services report, along with the views of the “fearless five,” did not become available until September 29th, two days before the bill came to the floor (which was very common during the textbook era). In the absence of the committee report, DSG Chairman Donald M. Fraser (D-MN) entered the DSG “Fact Book” on the Defense budget, as well as the shorter *Fact Sheet*, which compared the House bill with DOD requests and the Senate-passed authorization bill, into the Record.¹³⁰

Despite the committee’s attempts to suppress them, a contentious and protracted debate over military spending and specific procurement programs spilled over to the floor. 21 amendments from 15 committee and non-committee members were offered to the defense authorization bill (see Table 7.5), marking a historic highpoint and a significant increase in member participation in defense policymaking over prior years.¹³¹ The “fearless five” offered amendments to cut spending on shipbuilding, Cobra helicopter gunships, C-5A transport aircraft,

¹³⁰ In his floor comments, Fraser said that “since the bill itself was reported from committee only last Friday and since the committee report did not become available until today – just 2 days prior to House consideration – Members will not have the opportunity to give this important bill...careful consideration before being called upon to vote on it. I therefore, commend to the attention of all Members the Democratic Study Group’s analysis of H.R. 14000 and comparison of the House measure with Department of Defense requests and the Senate-passed authorization bill.” The Fact Sheet was entitled, “H.R. 14000, Fiscal Year 1970 Authorization, Military Procurement and Research and Development.” *Congressional Record*. 29 September 1969, H27570.

¹³¹ 20 amendments were offered in the Senate from committee and non-committee members (CQ Almanac 1969).

and the Short Range Attack Missile system, among other weapons systems.¹³² Each were the culmination of months of careful study, negotiation, and mobilization. While none were subject to a recorded vote, liberals forced congressional leaders to justify their support for each weapons program. Committee leaders worked with military allies prior to floor consideration to develop research materials to respond to liberals' critiques.¹³³ Of course, in addition to this fact-based evidence, they also offered dramatic, apocalyptic warnings to junior members about the threat of nuclear war in the United States. Speaker John McCormack (D-MA) said, "I wonder how many of you realize how close we came to losing World War II? I don't want to take a chance again." Chairman Rivers concluded his own dire warnings about the possibility of a Hiroshima-type attack on the U.S. by saying, "America's too young to die."

Liberals lost each vote – an unsurprising byproduct of unified leadership opposition, unrecorded votes, and stark informational asymmetries between members about the underlying policies. The FY1970 bill ultimately authorized a moderate drop in funding – it was \$1.2 billion lower than the level requested by Nixon (a 6% decrease) and \$915 million less than authorized in the FY1969 procurement bill (about a 4.5% decrease).¹³⁴ Nevertheless, liberals' year-long joint effort in the House and Senate marked a transformation in defense policymaking, both in substance and process. It was, as *Congressional Quarterly* described, "the most exhaustive attack

¹³² Pike offered amendments to delete \$1 billion in shipbuilding funds added to the bill by chairman Rivers, as well as an amendment to delete \$481 million in funds for procurement of additional C-5A transport aircraft. Nedzi's amendment called for \$86 million in cuts for procurement of 17 Cobra helicopter gunships. Leggett's amendment called for cutting \$60.4 million for procurement of the Short Range Attack Missile (Hunter 1969).

¹³³ *The Washington Post* described a memo prepared by Joseph J. F. Clark, Air Force Deputy Director for Legislation and Investigation, Legislative Liaison, to aid "allies in their battle against military budget cutters." The memo noted that, in preparation for floor debate, House Armed Services staffer "asked for a detailed analysis and rebuttal" to several documents, including reports on military spending prepared by Members of Congress for Peace Through Law, a bipartisan group led by Sen. Mark Hatfield (R-OR), and the "Fact Book" of the Democratic Study Group, a caucus of House liberals, the memo says." *Congressional Record*, 5 September 1969, S24591.

¹³⁴ Most of these cuts were pre-emptively initiated by Nixon and the Senate and House Armed Services Committee. The FY1970 appropriations bill was

ever on a military authorization bill...critics coordinated their efforts and studied the individual programs in order to present a unified, informed opposition.”

The group’s efforts led to a dramatic shift in defense policymaking – in 1969 and beyond. DSG legitimized growing opposition within Congress to never-ending defense spending and shifting public opinion, which led the Nixon Administration to pre-emptively initiate its own probe of weapons buying practices and reduced its own military budget request for FY1970. Nixon’s Defense Secretary, Melvin Laird, dryly described congressional authorization of Safeguard as “achieved only with the greatest difficult” (1985). Liberals’ repeated calls for unbiased studies of military procurement led to the creation of a Commission on Government Procurement, a 12-member panel of experts charged with conducting a two-year study of government purchasing practices.¹³⁵ And denied the opportunity to hold substantive formal hearings within the conservative-dominated Armed Services Committees, liberals in both the House and Senate worked through their respective chambers’ Foreign Affairs Committees. House liberals “reactivated” a Foreign Affairs subcommittee that had not operated in 11 years – the Subcommittee on National Security Policy and Scientific Developments – to initiate an examination of defense policy.¹³⁶ In the Senate, the liberal-oriented Foreign Relations Committee held ABM hearings on their own throughout the year – finally giving scientific experts a chance to critique the program after the House Armed Services Committee refused to include any ABM critics in its hearings (CQ Almanac 1969).

FY1971 Defense Authorization Bill. The next year, liberals continued to work together in both chambers to shape defense policy, including the proposed expansion of Nixon’s Safeguard

¹³⁵ The measure passed by voice vote on the House floor. It was sponsored by former DSG chairman Chet Holifield (D-CA) in his capacity as chairman of the Government Operations Subcommittee on Military Operations (CQ Almanac 1969, 310-314).

¹³⁶ CQ reported that DSG chairman Donald Fraser (D-MN) gave up his post on another subcommittee to serve on this reactivated body.

ABM program. The group of participating liberal senators and members was comparatively smaller (unsurprising in an election year), but their function was the same – develop and marshal legislative resources to support their goal of decreased military spending. DSG chairman Fraser, task force chairman Nedzi, along with 4 other members and 6 senators, including George S. McGovern (D-SD), Walter F. Mondale (D-MN) and Edward M. Kennedy (D-MA), worked together to produce an analysis of the defense budget.¹³⁷ Liberals proposed substantial cuts (\$4.5 billion) to military spending, including \$495 million for a new Navy destroyer, \$658 million for the purchase of F-14 airplanes, \$796 million for equipping Minuteman missiles with multiple warheads, and \$666 million in Safeguard antiballistic missile procurement funds (Smith 1970). While not as comprehensive as DSG’s Fact Book in 1969, the report provided a critical analysis of defense spending not provided by legislative committees or party leaders in either chamber.

On the House side, these joint efforts produced moderate cuts in the House Armed Services Committee, but they failed to produce ABM policy changes.¹³⁸ In a classic legislative trade, Chairman Rivers supported the Administration’s proposed expansion of ABM sites in exchange for the Administration’s support for additional shipbuilding funds – a key industry in his South Carolina district. Once again however, liberals’ dissemination of legislative resources and tools forced a public debate and (unrecorded) vote on numerous weapons programs. The “fearless five” again signed additional and dissenting views opposing the ABM program for its ineffectiveness and cost.¹³⁹ And on the floor, 23 amendments were offered from committee and

¹³⁷ The full list of participants included Reps. William Moorhead (D-PA), Leggett (D-CA), Abner Mikva (D-IL), Emilio Q. Daddario (D-CT) – all DSG members and/or leaders – and Senators Mike Gravel (D-AK) and Mark O. Hatfield (R-OR). Press coverage however, made no mention of DSG.

¹³⁸ The \$20 billion Committee reported bill was \$34 million less than requested by the Administration, and \$473 million less than authorized by Congress in FY1970.

¹³⁹ And Nedzi, Pike, and Republican Rep. Robert Whalen also signed minority views attacking the committee’s emphasis on “business as usual” while “domestic needs went unmet.” Committee and floor amendments offered by the “fearless five” to cut ABM funding were all rejected (CQ Almanac 1970).

non-committee members – an increase over the prior year’s historic benchmark of 21 amendments.

In the Senate Armed Services Committee, liberals succeeded in curtailing the expansion of the Safeguard ABM program – a significant policy victory. The committee voted 11-6 to delete Nixon’s request to start a nationwide area ABM defense, and limited existing Safeguard operations to the defense of Minuteman missile sites. While not a significant funding change – it deleted only \$10 million from the budget – it was a major policy change that reasserted Congress’s role in defense policy amidst the start of the Strategic Arms Limitation Talks (SALT I) with the Soviet Union in Vienna. The decision preemptively limited the options available to the Administration in its nascent arms negotiations.¹⁴⁰ Safeguard never expanded beyond a single missile site in North Dakota, which liberals continued to attack over the next several years. In 1975, they succeeded; the House Appropriations committee voted to eliminate the Safeguard program altogether for its “costliness” and “ineffectiveness.” The Pentagon disbanded the Safeguard program the following year.

The 1969 and 1970 defense authorization bills illuminate the key role of legislative resources and tools in enabling junior members to insert policy issues onto the congressional agenda when party and committee leaders refuse to act. Historically, junior liberals had neither the expertise, nor the resources necessary to participate in defense policy. Armed Services Committee chairmen in both chambers held *carte blanche* power to not only write the defense authorization bill, but to frame the presentation of the underlying policies to other members and the public. Debate was limited to piecemeal arguments to increase spending on one weapons

¹⁴⁰ A fear of further limiting the U.S.’s leverage in the talks prevented further cuts to ABM. Senate Armed Services Committee Chairman John Stennis (D-MS) said that further cuts to ABM “would deny to our President the very item – the major item I believe – of the bargaining arrangement” between the U.S. and the Soviet Union (CQ Almanac 1970, 383). The majority of the 11 committee members who voted to limit the ABM program had previously voted in support of ABM.

program or another. DSG provided liberals with the resources and tools necessary to challenge this agenda monopoly, enabling them to hold public hearings, to offer amendments on the floor, and to force a substantive, on-the-record debate in a controversial policy area that was typically negotiated exclusively behind closed doors.¹⁴¹ Prior to the adoption of rules changes or apparent electoral mandates, they produced policy changes in both the House and Senate. While the Armed Services committees continued to comprise “preference outliers” (Fenno 1973; Krehbiel 1990), liberals forced committee members to reconcile their constituents’ interests for more shipbuilding or helicopter funds with unbiased policy research. The committees began consulting scientists and academics to evaluate weapons programs, rather than relying solely on supporters from the Administration and military. As a result, members and senators became more critical of defense programs than ever before (Finney 1975).

Campaign Finance Policy

If politics is said to stop at the water’s edge on defense, then it often floods debates on campaign finance. Members evaluate each and every policy proposal against their pursuit of majority party status and individual electoral odds (Jacobson 1979). After Congress enacted the Federal Election Campaign Act of 1971 (and its amendments in 1974), campaign finance emerged as a dominant policy area in each subsequent decade.¹⁴² The historically unimportant House Administration Committee (responsible for assigning office space, managing

¹⁴¹ It is important to note that the debate – but not the *votes* – were recorded. Votes on amendments were not adopted until 1970 (implemented the following year).

¹⁴² The 1974 Amendments provided for public financing of presidential elections. In the 1970s, debates over public financing and campaign regulation; in the 1980s, PAC contribution limits; in the 1990s and 2000s, debates over so-called “soft” money.

congressional restaurants, and so forth), took on a new significance. And party leaders oscillated rapidly between offering legislative support, neutrality, and opposition, to campaign finance proposals depending on the controversy the issues provoked and the potential impact on Democrats' majority status. The new and emerging nature of this policy area fostered widespread participation by party leaders, committee and non-committee members – each allocated significant formal and informal legislative resources and tools to shape policy outcomes.

Throughout the 1970s, liberal Democrats, the Democratic leadership, and House Administration undertook piecemeal efforts to establish public financing of congressional elections (such as H.R. 11315 in the 96th Congress). In late 1978 and early 1979, DSG unified these proposals and advanced legislation providing for public financing of House general election campaigns.¹⁴³ After months of work, the House Administration Committee voted not to report DSG's bill – known as H.R. 1 – and liberals could not persuade the leadership to bypass the committee and take it directly to the floor.¹⁴⁴ The bill ultimately failed because liberals neglected to distribute policy research on the impact of public financing on district competitiveness; to coordinate their efforts with allies in the Carter Administration, Common Cause, and others; and to broker support from other Democrats in Congress.¹⁴⁵ In contrast, public financing critics were

¹⁴³ DSG established a task force headed by Rep. Abner Mikva (D-IL) to produce legislation; symbolically raised its profile by adopting a resolution in the House Democratic Caucus prioritizing public financing legislation that Congress and lobbying the Speaker to grant Mikva's bill the designation of "H.R. 1"; monitored constituent mail among Democrats to identify opponents' framing of the issue and prepared draft responses to the letters; and recruited liberal Republicans to work with the group to identify Republican supporters.

¹⁴⁴ In a June 6, 1979 memo from Dick Conlon to Rep. Dave Obey (D-WI), Conlon recounted how DSG conducted a "whip check" at the leadership's request "to see if there was sufficient support for the Speaker and [Rules Chairman Richard] Bolling [D-MO] to move ahead without caucus action" directing Democratic members of the House Administration Committee to report the bill [DSG Papers, Part II, box 109, folder 12]. A few days later, Obey reported that "Speaker announced whip check and that HR 1 is dead" [June 12, 1979 executive committee meeting minutes, DSG Papers, Part II, box 7, folder 4].

¹⁴⁵ At executive committee meetings, liberals discussed the fact that "members generally cite need for more information so supporters of H.R. 1 can rebut arguments" [March 27, 1979 executive committee meeting minutes, DSG Papers, box 7, folder 4].

much better organized (Copeland 1984) – opponents at the local, state, and federal level worked together to disseminate information and frame the issue, and pre-emptively mobilize constituents, the media, and other members in opposition to the bill.¹⁴⁶

Liberals (and to some extent, party leaders) learned from the failure of H.R. 1 and applied those lessons to advance legislation limiting PAC spending and providing tax incentives for individual campaign contributions to a successful House vote in the future. While committee opposition persisted, liberals employed their policy and procedural expertise, network of allies, and mobilization tools, to advance legislation providing for limitations on PAC spending, and individual tax credits for small donors. The group studied the dramatic increase in campaign spending in the 1970s; prepared research materials to help members understand and defend the bill to their constituents; and coordinated lobbying efforts with the Democratic leadership, White House, interest groups, and liberal Republicans. When possible, liberals shared legislative resources and tools with party leaders; when leaders were opposed, DSG enabled liberal to bypass both leadership *and* committee opposition. Concrete changes often proved elusive (largely because of Senate opposition), but DSG repeatedly succeeded in advancing legislation to a vote despite the controversy it provoked among conservatives, and even other liberals, in their party.

PAC Spending Limitations. At the beginning of summer 1979 (and the failure of H.R. 1), DSG liberals and House Administration undertook two parallel campaign finance efforts. The Committee began working on the yearly FEC Authorization bill (S.832). After the contentious public financing debate, committee members focused on developing a non-controversial bill

¹⁴⁶ See April 6, 1979 Dear Colleague letter from Trent Lott; May 11, 1979 Memo from the Republican Study Committee to Parties Interested in the Revised Version of H.R. 1; May 21, 1979 Dear Republican Colleague letter – Part II, box 109, folder 12.

providing for FEC efficiency improvements, including streamlining campaign expenditure reporting.

Meanwhile, Obey and other liberals began developing a stand-alone bill providing for limitations on political action committee (PAC) contributions – known as the Campaign Contribution Reform Act, H.R. 4970. H.R. 1 originally included PAC spending limitations, but it was dropped because House Administration Chairman Frank Thompson (D-NJ) thought it should be considered as a separate bill.¹⁴⁷ When Thompson’s hospitalization for “colestoral” surgery threatened to delay committee consideration of the PAC bill such that enactment would not occur until after the 1980 election, Obey and DSG developed a strategy to speed up the legislative process and bypass opposition.

If House Administration would block any PAC spending limit bill, DSG planned to bypass the committee altogether and take H.R. 4970 directly to the floor as an amendment to the FEC authorization. This strategy had two primary benefits. First, it enabled liberals to bypass not only committee opposition, but Senate opposition too. As the upper chamber had already passed the FEC authorization bill, the bill would go straight to conference where liberals did not anticipate significant opposition because the bill did not apply to Senate candidates.¹⁴⁸ While PAC spending on House campaigns had risen dramatically (comprising approximately 25% of all campaign receipts), spending on Senate campaigns was stable (with PACs comprising only about 14% of receipts). This strategy also, of course, enabled liberals to “catch the opposition off-guard” when the FEC authorization came to the floor at the end of September. If conservatives

¹⁴⁷ Thompson thought that PAC limits should be separate from a public financing bill for strategic reasons – members opposed to public financing might seek to add an amendment providing for PAC limitations as a poison pill to limit support for H.R. 1. Thompson even obtained a ruling from the Parliamentarian that any amendment providing for PAC contribution limits were not germane to H.R. 1 (CQ Almanac 1979, 553). May 30, 1979 executive committee meeting notes. Part II, box 111, folder 8.

¹⁴⁸ June 29, 1979 Update From Obey Re Campaign Finance, DSG Papers, Part II, box 113, folder 10.

did not anticipate the PAC bill's attachment to the FEC authorization, then they could not mount an effective, coordinated opposition (as they did for H.R. 1).

Liberals relied on their good working relationship with Speaker Tip O'Neill (D-MA) – and his willingness to allocate leadership resources – for their strategy to succeed. O'Neill promised to advance the controversial legislation if DSG could assure him that the bill would survive the floor *with minority party support* (in contrast to a dominant theory of agenda power in Congress (Cox and McCubbins 2005)). DSG would supply the necessary coalition-building support (i.e. carry out an accurate count of the membership), and the leadership would ensure the Rules Committee granted a rule providing for consideration of Obey-Railsback.¹⁴⁹ The bill was scheduled to reach the floor in late September 1979 under a modified closed rule allowing only one amendment to Obey-Railsback to be offered by Thompson.¹⁵⁰ Immediately before the vote on the rule however, Democratic opponents apparently “threatened” to defeat the upcoming budget resolution unless the leadership pulled the PAC bill.¹⁵¹ The leadership feared they would suffer the second of two high-profile, embarrassing legislative failures in 6 months, and pulled the bill.

¹⁴⁹ Larry Evans's dataset does not include any poll commissioned by the leadership on H.R. 4970 or the FEC Authorization, which suggests that they did not conduct a poll whatsoever. While O'Neill did not activate the leadership's whip system, he did appoint a large number of DSG leaders to the Speaker's Task Force on the PAC Bill, including Rep. Matt McHugh (D-NY), Martin Olav Sabo (D-MN), James Oberstar (D-MN), Bruce Vento (D-MN), and Mo Udall (D-AZ), to help ease cooperation between the two sides. [List of Invitees to the Speaker's Task Force on the PAC Bill Meeting, September 19, 1979, DSG Papers, Part II, box 113, folder 12]. September 7, 1979 memo from Dan (DSG staffer) to Dick Conlon Re Rule on FEC authorization bill. DSG Papers, Part II, box 113, folder 10. Memo discussed several potential rules (closed, modified closed, open to germane amendments, etc.). It noted that it “should be ample precedents to support the contention that amendments to the PAC bill dealing with subjects other than campaign contributions by nonparty multicandidate political committees are not germane.”

¹⁵⁰ The Rules Committee reported the rule on September 19th, rejecting a motion to prohibit consideration of Obey-Railsback by a vote of 10 to 5.

¹⁵¹ September 20, 1979 memo from Obey to DSG Members Re Vote on HR 4970; September 27, 1979 Memo from Obey to DSG Members Re Pac Campaign Against Obey-Railsback, DSG Papers, Part II, box 113, folder 10.

Liberals spent the next month furiously lobbying to make sure they had the votes for the rule, the PAC amendment, and final passage of the bill.¹⁵² The tradeoff in legislative resources between DSG and O'Neill was maintained; the leadership would provide agenda space if liberals provided coalition building support. On October 17, the rule for the FEC authorization bill was finally considered on the floor. Members debated not only the merits of Obey-Railsback itself, but also the precedent it established for the role of committees in developing legislation under their jurisdiction. Opponents argued that Obey-Railsback was "the illegitimate son of H.R. 1" and an "incumbents' protection bill," while proponents (including Administration chairman Thompson (D-NJ)) argued that the bill's major provisions had already been duly considered by House Administration over the past several years.¹⁵³ Nevertheless, liberals succeeded in marshalling a majority coalition in support of the rule – it passed by a vote of 228 to 182.¹⁵⁴ In order to gain majority support for the underlying PAC limits, liberals relied on an amendment offered by Thompson to appeal to first term and PAC-reliant members (CQ Almanac 1979, 556-58).¹⁵⁵ Thompson's amendment raised the aggregate limit on PAC contributions a candidate could accept, as well as the total amount a PAC could contribute to a candidate per cycle.¹⁵⁶ The

¹⁵² The leadership engaged in a last-minute lobbying effort. The day before the bill came to a vote, Speaker O'Neill, Majority Leader Jim Wright (D-TX), and Whip Brademas, sent a letter to all Democrats imploring them to support the rule, the PAC limitations amendment, and the bill on final passage. October 16, 1979 Dear Democratic Colleague letter, DSG Papers, Part II, box 109, folder 4.

¹⁵³ Rep. Bob Bauman (R-MD) said, "H.R. 4970 [Obey-Railsback] could very easily be called the son of H.R. 1, or better yet, the illegitimate son of H.R. 1. It is illegitimate because H.R. 4970 was not considered, much less reported, by the Committee on House Administration." [*Congressional Record* 17 October 1979, H28617]. Republican leader John Rhodes (R-AZ) argued that Obey-Railsback was "nothing but an incumbents' protection bill," and noted that House Administration Chairman Frank Thompson (D-NJ) was "as adept at that art as any man I have ever known." [*CR*, H28620].

¹⁵⁴ It is important to note however, that the vote was incredibly close given Democrats' two-third House majority.

¹⁵⁵ As part of their count, DSG also personally reached out to freshmen members who were more reliant on PAC money and less likely to cosponsor the bill. July 30, 1979 Dear First-term Colleague letter, DSG Papers, Part II, box 113, folder 10.

¹⁵⁶ Thompson's amendment raised the total PAC contributions a candidate could receive from \$50,000 to \$70,000, and increased the amount a PAC could contribute to a candidate from \$5,000 to \$6,000.

strategy paid off; Obey-Railsback passed by a narrow vote of 217-198, with Republicans comprising the winning margin of victory.

The vote itself sparked bitter animus between and within both parties – pitting liberal and conservative Republicans against one and other, and the Republican minority against the Democratic majority.¹⁵⁷ And ultimately, conservative House opponents successfully lobbied their fellow Republicans in the Senate to threaten to filibuster the conference report.¹⁵⁸ However, the success of liberals at forcing their colleagues to vote on Obey-Railsback illustrates the key role of group resources, tools, and connections in agenda-setting power. Absent DSG, the bill never would have made it to the House floor. House Administration was opposed to the measure and Speaker O'Neill would not use party resources (i.e. the Democratic whip system) to support an issue that sparked such controversy among his fellow partisans. And of course, he would not instruct the Rules Committee or bring legislation to the floor with an uncertain outcome. DSG filled these roles – providing liberals with coalition building resources and tools to set House campaign finance policy when policy divisions prevented the Administration Committee and party leaders from acting.

¹⁵⁷ Rep. Trent Lott, Chairman of the Republican Research Task Force, described it as “the first shot in the battle which will strangle all opposition, not just Republicans with restrictive rules” [September 24, 1979 Dear Colleague letter from Lott]. And while Lott warned that the Democratic leadership used the vote to begin enforcing party discipline among their ranks, the Republican leadership did too. Conference Chairman John Rhodes publicly criticized and privately castigated the 29 Republicans who voted in favor of Obey-Railsback, suggesting that the members put their “loyalty to labor unions or Common Cause” ahead of their desire to obtain a Republican majority. One of those members, Rep. Paul McCloskey (R-CA) wrote in an October 18, 1979 letter to Rhodes that Republicans “can never hope to be a majority if those of my philosophical persuasion are forced out, as is the case of so many liberal Republicans who have left the Congress rather than face, on a daily basis, the hostility of the hard-right conservatives.” Part II, box 113, folder 10

¹⁵⁸ Republican Senators Mark O. Hatfield (R-OR) and Gordon J. Humphrey (R-NH) threatened to filibuster the FEC authorization bill. Many liberals in the House believed the filibuster threat succeeded because senators did not know that Obey-Railsback only applied to House campaigns; however, opponents clearly feared that Obey-Railsback would establish a precedent that would eventually apply to the Senate.

Political Contribution Tax Credit. In 1985-1986, tax reform negotiations between President Ronald Reagan, Democratic leaders, and Ways & Means Chairman Dan Rostenkowski (D-IL), marked the 50% tax credit for small individual donor contributions to federal, state, and local campaigns, for elimination.¹⁵⁹ The popular credit was established as part of the Revenue Act of 1971, and targeted for elimination to compensate for the new lower tax rates.¹⁶⁰ The leadership gave Ways & Means significant leeway to craft the bill and did not expend their own legislative resources to challenge Rostenkowski despite members' support for the tax provision. Liberals marshalled DSG's careful research on FEC files, procedural expertise, relationships with allies on key committees and outside of Congress, and mobilization tools, to force the issue to an up-or-down floor vote. Given committee opposition and leadership reticence to challenge Rostenkowski, the tax credit would never have received a vote absent DSG.

DSG's research on the political contribution tax credit began in the early 1980s as part of the group's PAC contribution limit efforts. The group conducted a painstaking examination of monthly campaign reports filed with the Federal Election Commission (FEC). In an interview, a staffer recalled that DSG executive director Dick Conlon sent "2 or 3 interns [to the FEC]. He had them go through all of these records...This was before computers [when] you had to do it all by hand. They did it all, month after month after month."¹⁶¹ The reports allowed Conlon to produce an unbiased analysis of emerging patterns in PAC and individual contributions in the operation of congressional campaigns.¹⁶² The House Administration Committee's opposition to increased

¹⁵⁹ The Revenue Act of 1971 established a 50% tax credit for donations to federal, state, and local candidates and party organizations up to a limit of \$12.50 or \$25 for joint filers (adopted alongside a 100% deduction for the first \$50 of federal, state, or local contributions or \$100 for married couples filing jointly). Between 1975 and 1979, the deduction was deleted and the credit was incrementally increased to a 50% credit up to \$50 per individual or \$100 for joint filers (Cmar 2004).

¹⁶⁰ December 10, 1985 *Washington Post* editorial, "Tax Credits for Campaign Money." Part II, box 115, folder 8.

¹⁶¹ September 23, 2015 telephone interview.

¹⁶² Conlon even presented the findings at academic conferences, including the American Political Science Association, and corresponded with political scientists and Republicans about the findings. For example,

PAC regulations created stark informational asymmetries on candidates' reliance on PAC and individual contributions; members were likely familiar with their own campaign contributions, but they were unaware of broader trends in congressional campaigns. DSG's research concluded that members were "becoming "dangerously dependent" on Washington PAC money while relying less and less on small contributions from people in their home states and districts."¹⁶³

In 1982, the research provided the justification for then-DSG Chairman Matt McHugh (D-IL) to introduce a proposal co-sponsored by Republican Barber Conable (R-NY) to expand the existing 50% tax credit to a 100% credit for contributions by an individual to a campaign in their home state.¹⁶⁴ Continued opposition within Administration – now chaired by Rep. Frank Annunzio (D-IL) – to campaign finance reform prevented McHugh's proposal from receiving a vote. Tax reform negotiations in 1985 provided an unlikely window of opportunity finally force a floor vote on the issue. Although Rostenkowski and the Reagan Administration marked the credit for elimination, Ways & Means was inherently more-friendly towards the credit than the Administration Committee; Rostenkowski himself even personally supported the underlying policy. Thus, McHugh developed an amendment to the tax reform bill that would provide for a 100% tax credit up to \$100 for contributions made to a candidate for federal office in a taxpayer's

political scientist Gary Jacobson wrote to Conlon describing the data collection as "a real service [for political scientists]...something the FEC should be doing, but since they won't, I'm glad you took on the task." In an April 23, 1985 letter from Rodney A. Smith, Treasurer/Executive Finance Director for the National Republican Senatorial Committee, Smith described it as an "impressive report on campaign financing...no doubt it's a scholarly piece of work," and recommended that DSG strategically advocate for a 200% tax credit in hopes of obtaining a 110% tax credit. DSG Papers, Part II, box 3, folder 3.

¹⁶³ Undated 1985 Press Release, "PACs Replacing Small Donors as Prime Source of Campaign Funds." Part II, box 134, folder 1.

¹⁶⁴ Statement of Matt McHugh, DSG Chairman, House Administration Committee Hearing, 1982. DSG Papers, Part II, box 115, folder 1.

home state. His proposal increased value of the credit, while decreasing the scope of affected taxpayers (and thus the amount of revenue “lost”).¹⁶⁵

However, unlike Obey-Railsback, Democratic leaders would not expend party resources to help liberals pressure Rostenkowski to revise the bill, or instruct the Rules Committee to make it in order on their behalf. Instead, liberals relied on relationships brokered through DSG with Ways & Means committee members, liberal Republicans, the press and activists outside of Congress, as well as rank and file Democrats, to force a vote on the issue. Rep. Bob Matsui (D-CA), a DSG member who served on Ways & Means, was recruited to offer McHugh’s version of the tax credit as an amendment to the bill during markup.¹⁶⁶ Matsui, along with several DSG leaders, lobbied Ways & Means members to support the amendment.¹⁶⁷ And Republican Rep. Thomas Tauke (R-IA) was recruited to immediately assumed Rep. Conable’s (R-NY) position as the bill’s chief co-sponsor.¹⁶⁸ Tauke’s co-sponsorship continued DSG’s access to a network of other Republicans who regularly comprised the margin of victory on the group’s policy goals.

Relationships such as these became even more important when Rep. Dave Obey (D-WI) and Common Cause came out in opposition to McHugh’s amendment at the last minute. Obey was not opposed to a 100% tax credit on principle, but believed it should be part of a “comprehensive finance proposal” rather than a stand-alone policy.¹⁶⁹ Common Cause also only

¹⁶⁵ The tax credit eliminated by the committee provided a 50% tax credit up to \$50 (\$100 for joint filers) for all campaign contributions. Ways & Means estimated eliminating the credit would save about \$1.5 billion in revenue over the next 5 years.

¹⁶⁶ Matsui would go on to serve on the executive committee in the 101st Congress.

¹⁶⁷ Talking points on the amendment were distributed to members to lobby their colleagues about the proposal, including Reps. Dennis Eckart (D-OH), Mike Lowry (D-WA), and James Oberstar (D-MN). “Strategy re 100% tax credit, October 1985,” Part II, box 134, folder 1.

¹⁶⁸ Conable retired in January 1985. He had a longstanding relationship with DSG, and he often shared critical, first-hand insight about the position of his fellow Republicans (e.g. March 20, 1979 notes from Conable’s phone call with Rep. Bill Frenzel (R-MN), Part II, box 114, folder 6)).

¹⁶⁹ In a November 20, 1985 letter to Ways & Means Chairman Dan Rostenkowski, Obey urged him to “reject it as bad public policy and highly detrimental to Democrats...I believe...[it] would be disastrous public policy and disastrous for Democrats and the Democratic Party.” DSG Papers, Part II, box 107, folder 4. Ironically, this argument is the opposite of Administration chairman Thompson’s position on campaign

avored a comprehensive bill, although DSG suspected that their opposition stemmed more from the fact that the bill did not have their “name on it.”¹⁷⁰ Their opposition gave Rostenkowski the political cover he needed to justify his refusal to amend the bill. The committee rejected Matsui’s amendment 20 to 6.¹⁷¹

Immediately after the committee vote, DSG developed a strategy to bypass Ways & Means and bring McHugh’s amendment directly to the floor. McHugh and Oberstar collected enough signatures from rank and file Democrats to call a special meeting of the Democratic Caucus to vote to instruct the Rules Committee to make the tax credit in order as an amendment to the tax bill.¹⁷² The leadership’s reticence to challenge Rostenkowski necessitated this strategy. Rostenkowski maintained an iron grip on consideration of his committee’s bills; Ways & Means bills always came to the floor under a closed rule barring any amendments.¹⁷³

DSG recruited allies outside of Congress to bring public attention to the issue, and raise the stakes for Democrats prior to the Caucus. The group asked Ralph Nader to argue on behalf of the proposal.¹⁷⁴ Three days later, Nader sent a letter to all Democratic representatives imploring them to vote to instruct the Rules Committee, or risk being seen as uninterested in reducing “their

finance in 1979. At the time, he advocated for separate campaign finance bills, rather than a comprehensive approach.

¹⁷⁰ In an August 12, 1986 Dear Democratic Colleague letter, McHugh and DSG chairman James Oberstar (D-MN) noted that Common Cause “wants its version of campaign finance reform, or nothing.” [Part II, box 107, folder 6]. In a memo to file re Common Cause, executive director Conlon noted that the group’s presumptive motives for opposition are “Doesn’t have CC name on it. CC would rather no progress than have something enacted which it not part of.” Part II, box 107, folder 8.

¹⁷¹ Most committee members “were reluctant to challenge the President and the chairman on such a relatively minor topic” (Rosenbaum 1985).

¹⁷² November 29, 1985 Dear Democratic Colleague letter from McHugh and Oberstar, DSG Papers, Part II, box 107, folder 4.

¹⁷³ One staffer described the Rostenkowski’s policy this way: “He [Rostenkowski] knew the tax code better than anyone else, and he always felt that you can’t let anybody else offer amendments because nobody knows it like he does” [September 23, 2015 telephone interview].

¹⁷⁴ December 6, 1985 letter from Dick Conlon to Ralph Nader re the 100% tax credit. Conlon enclosed DSG’s research materials and noted that “The point we want to get across is that a vote against the credit or against making it in order would be clearly self-serving. The credit is designed to provide an alternative to PAC money, 75% of which goes to incumbents.” DSG Papers, Part II, box 134, folder 1.

excessive dependence on special interest money” – the same argument DSG requested he use.¹⁷⁵ DSG also reached out to the editorial board of the *Washington Post*. On December 10, the day of the Democratic Caucus, the *Washington Post* published an editorial endorsing “the Democratic Study Group proposal,” and encouraging Democrats to “give the whole House a chance to vote on it.”¹⁷⁶ Later that day, their efforts succeeded; the Democratic Caucus voted 127 to 41 to instruct Democratic members of the Rules Committee to make McHugh-Tauke in order as a floor amendment to the tax reform bill.¹⁷⁷ In an interview, a DSG staffer recalled the vote as a “really big deal,” noting that “you don’t roll Rosty very often.”¹⁷⁸ Of course, liberals also rolled the leadership who did not favor bringing the tax credit to the floor.

On December 17, the amendment came before the House. Supporters argued that the credit was “an invitation to our constituents to participate more actively in the financing of our elections” (Rep. Nicholas Mavroules (D-MA)); opponents argued that the amendment was an “audacious request” (Rep. Harris Fawell (R-IL)) in a time of rising annual deficits and amounted to little more than “a special tax exemption for Members of Congress” (Rep. Joe Barton (R-TX)).¹⁷⁹ The measure’s chief opponent, Rep. Bill Frenzel (R-MN) denounced the “Democrat study group” proposal as an undeserved benefit for members and “their rich friends.” Nevertheless, liberals succeeded in mobilizing support for the amendment; McHugh-Tauke was adopted 230 to 196 – 13 more votes than Obey-Railsback garnered 5 years earlier. Even Rostenkowski, who was not opposed to the principle of the tax credit, voted for the McHugh amendment on the floor.

¹⁷⁵ December 9, 1985 Dear Democratic Representative letter from Nader, Part II, box 109, folder 7.

¹⁷⁶ “Tax Credits for Campaign Money.” *Washington Post*. December 10, 1985: A20.

¹⁷⁷ July 25, 1986 letter from Conlon to AFL-CIO, DSG Papers, Part II, box 107, folder 5.

¹⁷⁸ September 23, 2015 telephone interview.

¹⁷⁹ *Congressional Record* 17 December 1985, H37375-H37378.

Similar to Obey-Railsback, the Senate did not include the credit in its own bill, which ultimately made it vulnerable to elimination during conference. Nevertheless, liberal organization enabled them to overcome leadership apathy, committee – and even some liberal – opposition, to force a floor vote on a key policy goal. Absent DSG’s legislative resources and tools to mobilize member support, it is highly unlikely liberals would have been able to overcome Rostenkowski’s absolute power over the tax reform agenda.

In the late 1970s and 1980s, campaign finance policy was one of the most contentious policy issues on the congressional agenda – provoking dissension both within and between the two parties. And broader institutional changes rendered it difficult for individual members or groups to participate in policymaking. By the mid-1980s, Speaker Tip O’Neill (D-MA) had transformed the floor “into a much more efficient legislative machine, with most major bills brought under procedures barring more than a handful of amendments” (CQ Almanac 1986, 29-35). And yet, group organization enabled liberals to overcome committee opposition and the strong incentives of party leaders to suppress policy issues that brokered controversy within the party. In the two decades after the Watergate-instigated campaign finance reforms, the only campaign finance related measures to pass either the House or Senate were proposed and developed by DSG.

Conclusion

Across all three policy areas analyzed above, liberal Democrats significantly shaped the direction and outcome of policymaking on the House floor. In the absence of official party and/or committee support for their policy goals, DSG provided liberals with legislative resources and tools necessary to insert issues onto the agenda and build legislative coalitions. The evidence provided above suggests that policymaking change in the Democratic Caucus in the 1960s-1980s was not simply the result of rules changes or electoral mandates. Indeed, many of the policies

examined in this chapter occurred under divided government, and/or before the adoption of major committee reforms. Instead, liberal Democrats successfully developed and disseminated policy research, brokered relationships with key allies (including liberal Republicans), and mobilized members to support their agenda when the issues came to a vote. Open rules provided a double-edged sword for liberal interests, enabling conservative attacks on liberal committee bills (e.g. civil rights) and liberal attacks on conservative committee bills (e.g. defense authorization). Ultimately, liberal policy goals only failed (e.g. Obey-Railsback, McHugh-Tauke, poll tax ban) when they failed to coordinate with liberals in the Senate; close cooperation with the other chamber enabled liberal Senators to step up on behalf of their colleagues and compensate for the failure of House legislation (e.g. ABM expansion).

The group's strategy of developing and disseminating legislative resources and tools to promote a distinct policy agenda has significant implications for theories of policymaking, as well as responsiveness to group interest in the contemporary U.S. Congress.

Legislative resources and tools have long been recognized by congressional scholars as a key component of leadership agenda-setting (Cox and McCubbins 2005), legislative entrepreneurship (Wawro 2000; Evans 2004), and interest group pressure (Hall and Deardorff 2004). This chapter provides evidence that it is also a key component of group-driven policy change in Congress. While agenda-setting power is the power to decide where to devote legislative resources and tools (Cox and McCubbins 2005; Peabody 1967), it is not delegated solely to party leadership offices. Group organization fosters agenda-setting power by disseminating legislative resources and tools typically denied access to rank and file members. Across each of policy areas and time periods analyzed here, DSG enabled liberals to shape the congressional agenda when party and/or committee leaders refused to expend internal resources

on issues that divided their fellow partisans.¹⁸⁰ In short, DSG enabled congressional responsiveness to policy problems when party and committee leaders could not, or would not, act. The group forced their colleagues to go on record in support of, or opposition to, specific legislation.

This nuanced view of policymaking explains how and why the static legislative branch will respond to pressing, controversial policy issues that divide the majority party. Party factions subsidize the cost for parties to address controversial policy issues that would otherwise be suppressed. Ungoverned by rules and norms that require leaders to justify the usage of limited legislative resources or risk their position of power, groups can mobilize to develop and support legislation often opposed by a sizable portion of their fellow partisans. Thus, if the formal structures of the House and legislative parties are designed to slowly incorporate new interests and ideas, group organization inside Congress promotes a faster, more meaningful responsiveness to new interests and ideas.

Today, members frustrated by their inability to receive a committee hearing or have their amendment to a major bill made in order on the floor, or by their colleagues' lack of familiarity or knowledge with social movements outside of Congress, can promote responsiveness by developing and marshaling their own legislative resources and tools. Formal changes to rules and norms and the election of more of their likeminded allies are critical, but group organization provides an important, alternative mechanism of policymaking change too.

¹⁸⁰ These findings are in keeping with much of the congressional caucus literature (although see Victor and Ringe 2013 for an exception).

8 | Conclusion

The causes, consequences, and contours, of institutional change in the U.S. Congress has dominated the congressional literature since the adoption of the 1970s reforms. The preceding chapters re-analyzed this critical case of institutional change through the lens of the group that led the campaign for reform – the Democratic Study Group (DSG). I examined how liberals’ strong organization shaped nearly every facet of the House and the Democratic Caucus – everything from the mobilization and coordination of liberal interests, to the development of future party and committee leaders, to agenda-setting power, and ultimately, to rule and procedural reform in Congress.

This chapter assesses group organization in the pre- and post-reform House. I evaluate the tenure of DSG in the House, and the response by other factions in the Democratic and Republican parties to the group’s strategical organizational development. I examine the representation of group interests and the changing institutional environment in the post-reform era, including the transition to a Republican majority in 1995 and the contemporary U.S. Congress. And finally, I summarize the major findings of the dissertation, and outline potential pathways for congressional reform today, as well as future avenues of research on the drivers of institutional change.

I begin by reviewing DSG’s tenure in the House of Representatives; their success and failure at precipitating leadership, procedural, and policy, change; and the consequences of the group’s organization for the development of other Democratic factions and the Republican Conference.

Assessing the Tenure of DSG: Before, During, & After the Reform Era

The basic theory advanced in the preceding chapters is that organization promotes action in the House of Representatives. Organization enables groups desiring to expand leadership pathways, reform legislative procedure, and set policy agendas, to overcome the significant hurdles to institutional change in Congress. Thus, it is worth revisiting the considerable tenure of DSG before, during, and after the reform era.

When DSG formed in 1959, liberals outlined a slate of three goals, including the expansion of the Rules Committee (by one (western) member), reinstating the 21-day rule, and decreasing the number of signatories necessary for discharge petitions to 150 (from 218).¹ These three proposals provided an initial template for liberals to address entrenched institutional problems in the committee system, but DSG's reform agenda would soon grow to include far more expansive changes to the House. Figure 8.1 summarizes DSG's major reform proposals that were written into House and Caucus bylaws between the group's founding in 1959 and 1976 (generally considered the end of the "reform era"). The 87th Congress provided liberals with their first success. Despite Speaker Sam Rayburn's (D-TX) initial opposition, DSG ultimately secured his support to expand the Rules Committee. On January 31, 1961, H.Res. 127, which enlarged the Committee from 12 to 15 members, was approved by a vote of 217 to 212 and over opposition from Committee Chairman Howard "Judge" Smith (D-VA). While the change was initially temporary (valid only for the 87th Congress), it was made permanent in 1963 at the start of the 88th Congress (again, over Chairman Smith's objections).

¹ Memo from Holifield re his telephone call with Speaker Rayburn. DSG papers, Part I, box 55, folder 3.

Figure 8.1: Selected Major Institutional Developments in the House of Representatives & the Democratic Caucus, 1957-1975

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| Speaker Sam Rayburn 1955-1961 1949-1953 | <u>January 8, 1957</u> Liberal Manifesto introduced on House floor.* | <u>September 9, 1959</u> Democratic Study Group formed. |
| | <u>January 31, 1961</u> House approves temporary expansion of the Rules Committee from 12 to 15 by 217-212.* | <u>January 9, 1963</u> House votes 235-196 to make permanent Rules Committee expansion.* |
| | <u>October 2, 1964</u> Liberals introduce "Statement on Democratic Party Unity in the 1964 Election," promising to enforce sanctions on Democrats who endorse the Goldwater ticket.* | <u>January 1965</u> House approves permanent rule re-establishing the 21-day rule by 224-201. Democratic Caucus strips seniority of Reps. John Bell Williams (D-MS) and Albert W. Watson (D-SC) as punishment for endorsing Goldwater for president in 1964.* |
| Speaker John McCormack 1962-1971 | <u>March 1965 - July 1966</u> Joint Committee on the Organization of Congress holds hearings and issues report on the structure of the House. | <u>January 10, 1967</u> House votes to abolish the 21-day rule. ⁺ The Democratic Caucus rejects Rep. Williams's (D-MS) bid to regain his seniority.* |
| | <u>January 1969</u> Democratic Caucus institutes monthly meetings when Congress is in session.* | <u>March 1970</u> Democratic Caucus adopts Majority Leader Carl Albert (D-OK) resolution calling for a party committee to study the seniority system.* |
| | <u>July-September 1970</u> House considers and passes the Legislative Reorganization Act, which provides for recorded teller votes and open committee meetings/hearings.* | <u>January 1971</u> Democratic Caucus adopts the Hansen Committee Report, which calls for votes on chairman nominees on demand of 10 members, and limited committee membership and chairmanships.* Caucus declines to depose Rep. John McMillan (D-SC) as chairman of the District of Columbia Committee, by a vote of 126 to 98. ⁺ |
| Speaker Carl Albert 1971-1977 | <u>January 1973</u> Democratic Caucus approves new rule providing for automatic votes on all committee chairmen nominated by the Committee-on-Committees without demand.* | <u>December 1974/January 1975</u> Democratic Caucus transfers the Committee-on-Committees from the Ways & Means Committee to the Steering & Policy Committee, and empowered the Speaker to appoint Democratic members of the Rules Committee. Democratic Caucus deposes committee chairmen Reps. F. Edward Hebert (D-LA), Wright Patman (D-TX), and H.R. Poage (D-TX).* |
| | <p>*DSG led and/or proposed the described reform to Democratic Caucus or House rules.</p> <p>⁺Denotes action opposed by DSG.</p> | |

In 1965, liberals achieve the second item on their original agenda when Democrats permanently reinstated the 21-day rule, which empowered the Speaker to recognize any

committee chairman (or ranking majority committee member) to call up a measure for House consideration if it has been before the Rules Committee for 21 or more days without receiving a rule. Despite the permanent change in the rules, it was abolished from the rules package adopted two years later. However, the timing of this singular rules change after President Lyndon B. Johnson's landslide election was critical. As newspapers noted at the time, "The result was a breaking of the Rules Committee dam, a veritable flood of social legislation – from the Medicare program to the War on Poverty and all the Great Society proposals" (Pisor 1966).² DSG also succeeded in their efforts to pressure the Democratic Caucus to act on their October 2, 1964 "Statement on Democratic Party Unity in the 1964 Election." The Statement, which a group of liberals entered into the *Congressional Record* discouraged Democrats from supporting the Republican Goldwater-Miller presidential ticket, and warned members of the potential consequences, including punishment by the Caucus, of those that did. The Caucus stripped the seniority of two members who supported Goldwater – Reps. John Bell Williams (D-MS) and Albert W. Watson (D-SC).³ The sanctions did not require passage of new rules as party bylaws already expressly forbid actively campaigning for, or endorsing, any candidate of the opposing party. But it overcame a strong conservative effort in support of Williams and Watson, and established a precedent that placed southern conservatives on notice. The seniority system was not sacrosanct and DSG would challenge conservative violations against mutual party goals. In 1967, DSG succeeded in preventing Rep. Williams from regaining his seniority after his re-election to the House. In 1969, their efforts to place conservatives on notice continued when DSG moved to strip Reps. John Rarick (D-LA) and L. Mendel Rivers's (D-SC) seniority as

² December 11, 1966, *The Detroit News*, Robert L. Pisor. DSG Papers, Part II, box 129, folder 9.

³ Williams was re-elected as a Democrat in 1966, and sought to have his seniority restored at the start of the 90th Congress. His efforts failed and in 1967, he was elected as governor of Mississippi. Albert resigned his seat shortly after losing his seniority, and ran in the special election to fill the seat as a Republican. He won the election with 59.1% of the vote and served in the House until 1971.

punishment for endorsing American Independent Party presidential candidate George Wallace in the 1968 election. While ultimately unsuccessful, these efforts continued to send conservatives the message that seniority was not resolute.

In 1969, DSG began a 6-year long effort to strengthen the power of the Democratic Caucus, and the capacity of the House to challenge President Richard Nixon's new, more conservative policies, especially on civil rights. They successfully negotiated with Speaker John McCormack (D-MA) to begin regular, monthly meetings of the House Democratic Caucus – a crucial reform which was first advocated by DSG in 1958.⁴ McCormack agreed as part of a compromise with liberals not to protest Rep. William Colmer's (D-MS) chairmanship of the Rules Committee (they had advocated for #2 ranking Rep. Ray J. Madden (D-IN)). Liberal leaders in DSG lobbied the leadership to create a committee within the Caucus to study problems in the committee system, including how to make chairs more responsive and accountable to the party. They succeeded in March 1970. Majority Leader (and soon to be Speaker) Carl Albert (D-OK) introduced a modified version of DSG's Caucus resolution to create an 11-member committee to study the rules and practices of the House – including the seniority system. The resolution was approved and the new committee – known as the Hansen Committee after its chairwoman, Rep. Julia Butler Hansen (D-WA) – was ultimately stocked with many so-called “DSG regulars,” including Frank Thompson (D-NK), Phillip Burton (D-CA), and James O'Hara (D-MI).⁵ And when the Hansen Committee Report was issued in 1970 (and approved in 1971), it provided for a separate vote on any nominee from the Committee-on-Committees on demand of 10 members, a ratio of at least 3 Democrats for every 2 Republicans on each committee, and

⁴ November 12, 1958 letter from Thompson, George Rhodes, and Lee Metcalf to John E. Moss, DSG papers, Part II, box 159, folder 1.

⁵ Thompson and O'Hara previously served as DSG chairs, and Burton served as chair two years later.

limited committee membership to 2 committees and (member) chairmanships to 1 committee.⁶

The new procedure calling for votes on committee chairmen received its first test almost immediately during an unsuccessful effort to depose Rep. John McMillan (D-SC) as chairman of the District of Columbia Committee, which failed by a vote of 126 to 98.⁷

From 1969 to 1970, DSG singlehandedly reshaped the Legislative Reorganization Act (LRA). As initially crafted, the bill which ostensibly represented the most significant reform effort in the House since the 1946 Legislative Reorganization Act – but it lacked any teeth, especially on issues related to legislative transparency in Congress. DSG drafted vital amendments included in the final bill, including providing for recorded teller votes in the Committee of the Whole and open committee meetings. The group led the campaign inside and outside of Congress in support of their slate of amendments, all of which were eventually included in the bill when it passed in September 1970. As amended by DSG, the LRA provides the foundation for how the public, the media, and interests groups engage with and view the inner workings of the House of Representatives today (Schudson 2015).

DSG continued to oversee significant institutional changes in the 93rd and 94th Congresses, overcoming both their minority status within the party and leadership opposition. In 1973, DSG led the effort in the Caucus to change the rules regarding votes on committee chairs yet again. The new rule provided for automatic votes on all committee chairmen nominees *without demand* on a single master ballot. They also introduced measures to reconstitute the Steering & Policy Committee with leadership and regional representation. And in 1975 at the

⁶ December 16, 1970 Recommendations of the Hansen Committee, DSG papers, Part II, box 125, folder 2.

⁷ After the failed Caucus vote, a small number of liberals unsuccessfully attempted to force a floor vote in January on whether McMillan should continue as chair. Despite many Democrats and Republicans' staunch disapproval of McMillan and his leadership of the District Committee, they were opposed to allowing the House floor – both Democrats and Republicans – decide what they considered to be the right and prerogative of the majority party. Nevertheless, the effort represented the lack of a consensus on whether seniority reforms were the prerogative of party caucuses or the House floor.

start of the 94th Congress, the Democratic Caucus approved the most significant slate of party reforms in modern House history. Arguably the culmination of DSG's campaign for institutional change, the Caucus approved numerous DSG-proposed rules changes. Among them, the Caucus voted to move the party Committee-on-Committees, which made recommendations for committee assignments and chairmanships, from the (Democratic members of the) Ways & Means Committee to the party Steering & Policy Committee. Also approved was a proposal to empower the Speaker to appoint Democratic members of the Rules Committee – stunningly, over Speaker Carl Albert's (D-OK) opposition to the proposal.⁸ And the new Caucus rule providing for automatic votes on all committee chairmen nominated by the (new) Committee on Committees was finally tested – a move which resulted in the overthrow of three ineffective, unrepresentative, and/or autocratic committee chairs: Reps. F. Edward Hebert (D-LA) (Armed Services), Wright Patman (D-TX) (Banking & Currency) and W.R. Poage (D-TX) (Agriculture). The Democratic Caucus's organizing meeting for the 94th Congress provides considerable evidence that DSG's strategic, incremental plan to make committees more responsive and representative of the Caucus was effective.

The bulk of these reforms remain in effect today. The majority party still maintains a significant advantage on the Rules Committee; the Democratic Caucus still meets monthly; committee chairs are still nominated by the Steering & Policy Committee and voted on by the full Caucus; and the Speaker (minority leader) still appoints Democrats to the Rules Committee. And arguably the most wide-reaching reform proposed by DSG remains still in effect– creating a

⁸ Speaker Albert was opposed to empowering himself to appoint majority party members of the Rules Committee and spoke out against the rules change immediately before the Caucus vote approving it ("Many House Democrats Critical of New Leaders," *New York Times*, June 6, 1973, DSG papers, Part II, box 122, folder 8: Library of Congress, Washington, D.C.; Pierson, John, "Shaking Up the House: Will It Help?", *Wall Street Journal*, December 12, 1974.).

process and mechanism through which rules reforms could be considered within the Democratic Caucus.

In the 1950s, the Democratic Caucus lacked a self-reflecting mechanism to assess the state of the party and the impact of current rules and procedures on party policy goals.⁹ When DSG negotiated regular monthly meetings of the Democratic Caucus in 1969, they reconfigured the Caucus from a once-a-Congress procedural coalition to a regular site of collective introspection about the relationship between members and their party and committee leaders, and between institutional procedure and policy outcomes. In the decades that followed, it was the Caucus that became the mechanism of change in the House – the site where rank and file members could raise issues and concerns, and debate them with other members and their leaders. The site where votes were cast on critical changes to the rules throughout the 1970s – rules governing the type, form, and quality of representation ultimately provided by the legislative branch. And DSG’s resolution providing for the creation of a Caucus body – the Committee on Organization, Study and Review (OSR) – created a permanent site and forum (albeit imperfectly) through which members can voice their concerns about the function and state of the House; the leadership and members can engage with each other about opportunities for legislative participation, the committee system, and other organizational issues; and of course, where members and party leaders can consider and meaningfully debate changes to legislative rules and procedures.¹⁰

⁹ The original OSR in 1970-1971, known as the Hansen Committee for its chairwoman, Rep. Julia Butler Hansen (D-CO), was an 11-member committee. Three DSG chairmen served on the committee, including Reps. Frank Thompson (D-NJ), James O’Hara (D-MI), and Phil Burton (D-CA). Thompson and O’Hara served as DSG chairmen in the two prior congresses (1965-1968), and Burton in the following congress (1971-1972). Their membership on OSR helped maintain DSG’s first mover advantage and gave DSG proposals a boost during Caucus debates on committee and leadership reforms in the early to mid-1970s.

¹⁰ OSR is arguably more of “a place to receive and discuss ideas and specific reform proposals submitted by Members, rather than to generate an agenda of its own.” [Scott Lilly Comments, May 20, 1992 meeting]

The next fifteen years oversaw a significant, albeit inevitable, slowdown in the consideration and passage of rule and procedural changes. But DSG remained vigilant in monitoring the enforcement of existing rules and proposed a new slate of rules changes nearly every Congress (except for the 100th and 101st), including proposals to enact term limits on leadership positions, raise the number of signatories on discharge petitions involving Constitutional amendments, limit consideration of non-germane Senate amendments in conference reports, limit subcommittee assignments, and strengthen the policy-setting functions of the Steering & Policy Committee. DSG was intimately involved with monitoring, evaluating and amending the proposals of Rep. Richard Bolling's (D-MO) (House) Select Committee charged with reviewing committee jurisdictions in the mid-1970s, Rep. Dave Obey's (D-WI) (House) Commission on ethics reform in the late 1970s, and Rep. Martin Frost's (D-TX) (Caucus) OSR Committee on party reforms in the mid- to late-1980s.¹¹ And in 1984, DSG finally succeeded in transforming the lowest rung on the "automatic elevator" to the speakership when the Democratic Caucus voted to make the whip an elected – rather than appointed – position. This singular change removed the power of the Speaker and Majority Leader to appoint the whip and transferred this power to the Caucus as a whole. It was a significant power shift in favor of the rank and file as several whips eventually became Speaker, including Speakers Tip O'Neill (D-MA) and Thomas Foley (D-WA). The Caucus now had a voice in who would be placed on the pathway to the Speakership (and all the requisite formal and informal advantages that came along with it).

minutes of the DSG Reform Task Force, DSG Papers, Part II, box 126, folder 2]. And regardless, the power of OSR to initiate changes in House rules is a function of majority party status.

¹¹ DSG's executive director, Dick Conlon, was routinely invited to attend and participate in meetings of Frost's OSR Committee.

The tragic death of DSG's longtime executive director Dick Conlon in 1988 inherently brought about a necessary reconsideration of DSG's role within the House.¹² Conlon's replacement, Scott Lilly (a longtime staffer for Rep. Dave Obey (D-WI), incorporated a number of internal changes to professionalize and institutionalize the organization, while a new generation of executive committee members refocused DSG activities towards House and party reform.¹³ In conjunction with the establishment of a 1992-1994 Democratic Caucus Committee on Organization, Study, and Review, and a 1992-1993 Joint Committee on the Organization of Congress, DSG organized a series of two reform task forces.¹⁴ The goal of the task force was DSG's longest-running reform goal – the creation of a robust Steering & Policy Committee. Members envisioned S&P was a mechanism within the Caucus to develop party policy, and coordinate a legislative program between committees, party leaders, and rank and file members.¹⁵ The party reforms proposed by the task force ultimately represent a long overdue attempt to reconcile the contradictory set of institutional arrangements produced through the 1970s reforms (Schickler, Sides, and McGhee 2003). DSG was largely unsuccessful at achieving either goal

¹² During his 20-year tenure, Conlon was DSG's chief procedural strategist and a towering figure within the organization and the House. He left his editorial imprint on every piece of research distributed by the group, and was, of course, the primary linkage between the research and advocacy wings of the group.¹² Conlon was so critical to the everyday activities of DSG that his replacement would undoubtedly produce significant changes within the organization. Greenhouse, Linda. 1988. "Richard Conlon Dies in Accident; Head of Democratic Unit Was 57." *New York Times*. June 23.

¹³ Among the changes, Lilly secured regular salary and benefits for staff, which were often prone to fluctuations in clerk-hire availability. He dramatically increased the number of Republican subscribers, who grew to constitute a significant portion of the DSG budget. Lilly also created a 501c(3) headed by former DSG staffer Roy Dye "to expand DSG's influence," which was part of his effort to reorient DSG's research priorities to emphasize issues outside of Congress, as well as longer-term issues. These efforts also carried over to the daily and weekly research publications of the group. One staffer described Lilly's goal here with an analogy between two longstanding Capitol Hill newspapers: "The [DSG] legislative shop was extremely short-term...Scott Lilly...was frustrated by that. He was much more of a fan of *National Journal* than *CQ*. *CQ* equals minutia; the *National Journal* was a big thinker" (August 5, 2015 Interview).

¹⁴ This represents a significant reassertion of the group's procedural and organizational reform role. DSG did not even circulate a list of executive committee-endorsed rules changes in the 100th and 101st congresses (1987-1990).

¹⁵ These efforts date back to a 1961-1962 resolution offered in the Democratic Caucus, which led to the creation of a Steering Committee chaired by Rep. Ray J. Madden (D-IN).

(see chapter six), but the task forces provided another means for ambitious junior members, to learn about House procedure and the tradeoffs necessary in any procedural reform effort. Task force members that later assumed formal leadership positions include Reps. Nancy Pelosi (D-CA), Rosa DeLauro (D-NY), and Nita Lowey (D-NY).¹⁶

The second significant shift observed during the reform era was the expansion of leadership pathways in the House (see chapter five). Liberals in DSG recognized that as pivotal as procedural reform was to representation of their interests, long-term institutional change depended on the expansion of leadership pathways. Rather than simply wait for their strongest, most ambitious allies to accumulate seniority, DSG dramatically expanded the informal leadership positions and training experience available to junior members in the House. To the formal leadership pathways shaped by seniority and recruitment from existing leaders, DSG introduced an alternative. The group directly provided junior members with the policy expertise, visibility and connections, coalition building experience, and institutional prestige and cachet necessary to be competitive for elected and appointed leadership positions. Denied access to formal leadership positions because of their seniority and policy preferences, ambitious liberals could serve on DSG's executive committee or in the group's task force system.

In the post-reform era (1975-1994), DSG produced 1 Speaker (and majority leader), 3 whips, and 3 Caucus chairs and vice-chairs. From 1985 to 1994, DSG leaders occupied between 33% to 55% of the top Democratic leadership positions.¹⁷ In the 1970s, DSG-Democrats had a

¹⁶ Pelosi has served as Democratic whip, minority leader, and Speaker. DeLauro has served as Assistant to the Minority Leader, chief deputy whip, and chair of the Democratic Steering & Policy Committee. And Lowey served as DCCC chair and is currently the ranking member on the House Administrations Committee.

¹⁷ Calculations of the top party leadership holders are based on the Speaker, majority leader, majority whip, caucus chair, caucus secretary/vice chair, chief deputy whip, and whip task force chairmen (introduced in 1987).

greater probability of advancing into subcommittee chair positions than non-DSG Democrats, and into whip team positions in the late 1980s and 1990s. DSG was especially successful in those rare cases of committee chair seniority violations. Of the 9 violations voted on by the Democratic Caucus between the 94th and 103rd Congresses, 5 advantaged DSG leaders and an additional 2 benefitted DSG members.¹⁸ And even after Democrats lost the majority in 1994, DSG leaders never constituted less than 50% of the top Democratic leadership positions through the 109th Congress, with former executive committee members like David Bonior (D-MI), Vic Fazio (D-CA), Chet Edwards (D-TX), Ed Pastor (D-AZ), Nancy Pelosi (D-CA), Steny Hoyer (D-MD), and Rosa DeLauro (D-CT), continuing to hold the top party leadership positions.¹⁹

And of course, DSG fulfilled a critical policy leadership vacuum throughout the group's tenure in the House (see chapter seven). Liberals learned quickly that party leaders' reticence to allocate party and legislative resources on legislation that provoked opposition among their fellow partisans was as damaging to their policy goals as existing rules and norms. DSG bridged this critical resource gap prior to the emergence of a liberal majority within their party or the elevation of party leaders unbridled by the fear of a conservative backlash. The group widely disseminated policy and legislative research, provided a platform to engage with key interests inside and outside of Congress, and managed communications networks to mobilize support for legislation. This legislative machinery enabled liberals to bypass the hurdles posed by the formal structures of the House, and directly participate in the legislative process in the pre- and post-reform eras.

¹⁸ Committee chair seniority violations will be analyzed in detail in chapter four. The DSG leaders who were advantaged are Reps. Thomas Foley (D-WA), Henry Reuss (D-WI), Les Aspin (D-WI), Charlie Rose (D-NC), and David Obey (D-WI). DSG members Reps. Melvin Price (D-IL) and Ronald Dellums (D-CA) were also the beneficiaries of committee chair seniority violations.

¹⁹ Prior to Democrats winning back the majority in 2006, DSG leaders occupied 67% of the top party leadership positions (in the 109th Congress). Calculations of the top party leadership holders are based on the minority leader, minority whip, caucus chair, caucus vice chair, chief deputy whip, senior chief deputy whip (beginning in 2003), and assistant to the minority leader (beginning in 2001). DSG members also continued to hold leadership positions, ranging between 17% (in the 109th) to 50% (in the 106th).

When party leaders and committees would not act to advance important legislation, DSG was responsible for carrying out vital whip polls, brokering negotiations between natural allies (including liberal Republicans), developing and distributing the research necessary to arm members in defense of their proposals, and protecting major bills from conservative amendments on the floor.

Throughout the 1960s-1980s, DSG consistently marshalled its legislative resources and tools to insert – and mobilize support for – the most controversial policy issues. When the leadership abdicated responsibility for marshalling floor coalitions on the civil rights legislation in the 1960s, liberals stepped in to fill the gap. DSG conducted whip polls and mobilized members to participate on the floor during consideration of the 1960, 1964, 1966, and 1968 Civil Rights Acts, and the 1964 Voting Rights Act. The group crafted and led the campaign for home rule for Washington, D.C. for 10 years until the legislation was finally signed into law in 1973. DSG was an active participant in the major foreign policy and defense policy debates throughout the late 1960s, 1970s, and 1980s, including leading critical debates about the Safeguard Anti-Ballistic Missile (ABM) program and Vietnam War funding under the Nixon Administration, and Iran-Contra and the Persian Gulf conflict during the Reagan Administration. Liberals also drafted and mobilized a majority floor coalition in support of the only campaign finance reform measures to pass the House in the late 1970s and 1980s.

Liberals marshalled their collective procedural and policy expertise to enforce party rules protecting majority policy goals, and democratize access to information in the House. When party and/or committee leaders were opposed to liberal legislation, DSG invoked a party rule (Caucus Rule 7) empowering a super-majority of Democrats to instruct committees to report legislation reflective of the majority of the Caucus. Among the important applications of this rule was a 1972 instruction to the Foreign Affairs Committee on Vietnam War funding, and a 1985

instruction to the Rules Committee to make a political contribution tax credit in order on the floor (bypassing Ways & Means). And DSG's information services provided a single, trusted source of information attuned to the nuances and demands of public office and the congressional schedule (Klein 2011). Members (and their staff) relied on DSG to quickly learn about a bill's content, the constituency groups impacted by the underlying policy, where major interest groups stood on the bill and the position of the Administration (Kingdon 1989). This information enabled members to cast informed votes, but it also fostered a unified Democratic position on specific policies, and for individual Democrats sympathetic to liberal policies to defend their votes to their constituents with reputable, verifiable information.

Some of the changes outlined above are arguably historically bounded; their causes and effects confined to a specific point in time. But the group's most significant accomplishment remains in effect today. Over a thirty-five-year period (1959-1995), DSG not only led a complete transformation of the House and the Democratic Caucus, but the group created the capacity for future change in the contemporary era. The House of Representatives is an ornery and static institution that is not readily adaptable or inclusive of new groups and ideas. And like many institutions, the House does not have built-in, automatic mechanism of self-reflection to address and study those specific issues plaguing the effectiveness and efficiency of the institution. The rules may be adopted anew each year, but the small number of temporary committees convened to study the organization of Congress – in 1945-1947, in 1965-1966, and in 1992-1993 – is a testament to how rare and difficult it is to achieve mass institutional change. The House is an institution where amidst years of complaints by members of both parties about the undemocratic seniority system, there was no definitive agreement within the institution about whether potential reforms to unwritten seniority norms should be the prerogative of individual party caucuses or the House floor. DSG did not merely increase the capacity of liberals to force their party to

effectively address pressing issues like this, the group's strategy increased the capacity for the institution itself to address its own shortcomings.

Despite the seeming absence of leadership and committee involvement or leadership in many of the activities and change processes described above, DSG did not develop or operate in an institutional vacuum. Indeed, the group ultimately spurred the development and organization of other factions within both parties. I now turn to a discussion of those responses.

Push & Pull: The Response by Democratic and Republican Factions

The decision by liberals to establish DSG was rooted in the belief that other members' policy, electoral, and power goals were better subsidized by the party and institutional structures. Yet liberals were never especially concerned with confronting a coordinated opposition. DSG staff memos in the late 1960s document internal discussions about the potential repercussions of challenging conservatives for majority status.²⁰ It was possible of course, that conservatives would 'band together' to fight back, and a sufficient number of defections could sway control of the House to Republicans. The memo suggested that Democrats were split about this potential consequence – some believed that the loss of the House “should be avoided at all costs”; others believed it might be “an essential first step to restoring the party's health and vitality.” However, liberal reformers clearly never viewed the risk of large numbers of Democratic defections to the GOP as likely – it would have been harmful to the Republican party's “young, modern, concerned-but-businesslike” brand (Cox and McCubbins 1993, 2005).²¹ An organized

²⁰ March 3, 1969 from executive director Dick Conlon to DSG Chairman Donald Fraser (D-MN) re Proposed DSG Voting Study Strategy. DSG papers, Part II, box 175, folder 7.

²¹ And of course, the existence of the memo itself is a strong indicator that conservatives at that time had not already 'banded together.'

conservative base within Congress was never liberals' main foil; in the 1970s, the group did not even confront a coordinated opposition within the Democratic Caucus.²²

The Democratic Response. Organized opposition to DSG and the group's monopoly on rules reform eventually materialized in the growth of rival organizations on the left and right.²³ The congressional literature has widely documented the significant growth in the congressional caucus system throughout the 1970s and beyond (Hammond 1991, 2001). Much of this growth is due to members' recognition of the key role of organization and information for cultivating new leaders, negotiating with (and sometimes challenging) current leaders (Kernell 1997), and unifying members behind a coherent agenda. Members across the ideological spectrum observed the success of liberal activism in DSG and attempted to re-create it – or for the group's critics on the left and right, supplant it – with varying degrees of success (Mulhollan and Stevens 1980).

The Congressional Black Caucus (CBC) organized in 1971 at the start of the 92nd Congress and amidst the election of a historically high number (13) of black representatives in Congress. Many of the group's founding members, including Reps. Charlie Diggs (MI), William (Bill) Clay, Sr. (D-MO), and Shirley Chisholm (D-NY), had previously served in leadership roles within DSG. The motivation to form CBC in part stemmed from a widely perceived "activism gap" on the part of largely-white liberals in DSG. Chisholm's reflection of her impressions of DSG in a newsletter is illustrative of this perspective:

"One unexpected disappointment for me was a group that I expected to embody the best in the House, the "liberal bloc" organization called the Democratic Study Group...The DSG talks a good game, but it lacks conviction. It never seems to get together and do anything."²⁴

²² In the 1960s, the biggest hurdle to achieving their agenda was the structure of the House and the Democratic Caucus – institutions designed to make change to the status quo incredibly difficult.

²³ Opposition also materialized as a refusal to attend meetings of the Democratic Caucus (preventing a quorum), which limited the role and power of the Caucus as a mechanism of party agenda-setting. See chapter three for a longer discussion of these issues.

²⁴ The Majority Report, Vol. 1, No. 11, pg. 17, DSG papers, Part II, box 122, folder 9.

The archival record suggests that many CBC members shared Chisholm's concerns about the role of DSG within the House and the Democratic Party. In an interview with *The Philadelphia Inquirer* prior to the organization of the CBC, founding member Rep. John Conyers (D-MI) said:

“We’ve been slowly moving towards a bolder phase of parliamentary activity. We need more imaginative maneuvers to push the old procedures over, to dramatize to the country how those procedures stop the work of the House. We can no longer blame the Southern Democrats and the Republicans for conservatism in the House. Our Democratic leadership is right with them. *Even the Democratic Study Group has degenerated into an arm of the leadership*” (emphasis added).²⁵

Conyers' comments came before the adoption of many of the most significant committee and leadership reforms in the 1970s, but they are representative of a fundamental difference in strategy between liberals in Congress.²⁶ DSG emphasized careful study and research of its agenda items, and avoided conflict on the House and Caucus floor (electing to settle conflict between members a priori). As then-DSG Chairman Frank Thompson (D-NJ) told the Camden, New Jersey *Courier-Post* in 1965, “We [DSG] have found that the best way to be effective around here is to know what you are doing and to keep your mouth shut.”²⁷ This strategy was at odds with members who cut their teeth on civil rights and social movements of the 1960s and 1970s outside of Congress. One DSG staffer interview remarked how “the CBC in some sense replace the leadership as kind of the other power center that DSG needed to watch...a wariness that they are not coming from the same place, different constituencies and different priorities.”²⁸

²⁵ July 14, 1970. “There’ll be Fireworks From Radical Left.” *The Philadelphia Inquirer*. DSG papers, Part II, box 122, folder 8.

²⁶ In another example, founding CBC member (and DSG executive committee member) Rep. Charles Diggs (D-MI) wrote in a letter to DSG chairman Donald Fraser (D-MN), “The DSG has been moving rather cautiously with respect to issues which it has either raised or supported at the Democratic Caucus...I believe that the organization is wise in using its powers in that forum (the Caucus) prudently.” DSG papers, Part II, box 125, folder 1.

²⁷ Gale, Dick. 1965. “N.J. Solon Heads Powerful Group.” *Courier-Post*, Camden, New Jersey: April 1. DSG Papers, Part II.

²⁸ August 6, 2015 interview. This staffer noted how many in DSG were critical of the CBC's efforts to put together a budget, remarking that “They didn’t have to deal with how you were going to pay for it.” The staffer went on to say that there was not much staff cooperation, “but we always dealt with them on their budget and wrote it up. You can’t vote against it, but he [executive director Conlon] thought it was naïve

By the mid- to late 1980s however, each group's chairmen were invited to attend and participate in the others' executive committee meetings.²⁹ CBC and DSG would never see eye to eye on the seniority system in Congress (which eliminated potential racial bias in committee leadership selection), but the group made for important allies when their interests aligned.

In turn, moderate and conservative Democrats formed the United Democrats of Congress (UDC) and the Democratic Research Organization (DRO), respectively. Both UDC and DRO originally formed as leadership platforms for individual members – UDC for B.F. Sisk (D-CA) and DRO for Joseph Waggoner (D-LA). Sisk, a Rules member since the expansion of the committee in 1961, ran unsuccessfully for several leadership posts in the 1970s, including majority leader and Democratic Caucus Chair.

UDC formed in 1973 as a group of about 50 members (roughly analogous in size to DSG at its founding in 1959). It was chaired by Sisk; Gillis Long (D-LA) was made vice chairman, and Robert Giaimo (D-CT) was made secretary-treasurer. In newspaper coverage of the group's founding, the group was described as the center of the Democratic party – “to the right of Sen. George McGovern (D-S.D.) and left of Alabama's George Wallace.”³⁰ It eventually counted Speaker Tip O'Neill (D-MA) as a member (Hammond 1991, 283).

DRO formed around the same time in 1973. It was widely viewed by liberals as an attempt to undercut DSG, especially during the conservative resurgence under the Reagan Administration. In the early 1980s, the group attempted to establish a “legislative network” of members who would serve on the principal subcommittees in the House in order to affect a wide

and not serious. All along, neither side wanted to alienate each other, but the CBC in some sense replaced the leadership as kind of the other power center that DSG needed to watch...”

²⁹ February and March 1991 correspondence between DSG chairman Bob Wise (D-WV) and CBC Chairman Edolphus Towns (D-NY). DSG papers, Part II, box 134, folder 4.

³⁰ Gillis Vice Chairman of House Demo ‘Center’ Group, *The Town Talk*, July 26, 1973, pg. 7.

range of policies from the ground-up. In response, DSG chairman Dave Obey (R-WI) wrote that “There is no question they are trying to set up a parallel organization to move in” on DSG.³¹

Both UDC and DRO empowered their leaders to serve as the face of moderate and conservative Democrats, respectively – and negotiate as a bloc with the leadership on behalf of their interests.³² Archival accounts of these groups are most likely to emerge in presidential papers, suggesting that Democratic and Republican Administrations in the 1970s viewed the groups as representatives of different voting blocs within the Democratic Caucus. For example, Ford aides recommended that the president meet with representatives from DRO (an “ad hoc group of moderate to conservative Democratic Members”) because DRO members “provide strong support for Administration initiatives and legislative positions, and their assistance is crucial in efforts to successfully sustain vetoes.”³³ Carter Administration records similarly document meetings with UDC members, who were described as “Carter Democrats.”³⁴

Neither group made lasting efforts to unite their members around a coherent platform, and it is not surprising that their tenures were relatively short-lived. DRO arguably adapted to the

³¹ March 31, 1981 memo to Conlon from Obey.

³² Hammond (1991, 288), for example, cites a UDC participant’s recollection of how the group enabled negative agenda-setting: “Let’s say the leadership of the UDC...feels strongly about a piece of legislation. Very quietly they go to the Speaker, or invite the Speaker down for a very candid, off-the-record discussion of what membership is willing to do. The Speaker [has] learned it is very important to pay very careful attention to UDC...UDC is most influential in continuing to remind the leadership that there are Democrats who may not share their same views.”

³³ The memo indicated that Waggoner and Rep. Dave Satterfield (D-VA) “believe it [the meeting] would be most beneficial” and recommend continuing to periodically meet with the President (Schedule Proposal, March 24, 1976, from Tom Loeffler re Congressional Leaders of the Democratic Research Organization (DRO), Loen and Leppert Files, box 30, Gerald R. Ford Presidential Library).

³⁴ Digitized records of the Carter Administration, as well as newspaper accounts at the time, suggest that the President Carter and his staff regularly met with members of UDC. Staffers viewed UDC as Carter’s strongest supporters in Congress: “The potential political value of such an organization to this Administration is obvious. This group has a higher support rate than any other.”: Briefing Paper, August 1, 1979, Meeting With the United Democrats of Congress, Jimmy Carter Presidential Library, Office of Staff Secretary, Presidential Files, Box 126, Folder August 2, 1979. Carter also held dinners in honor of UDC at the White House: Roberts, Steven V. 1979. “Carter, After Defeats in Congress, Vows New Discipline for Democrats.” *New York Times*. September 22nd.

conservative resurgence and repeated budget battles of the 1980s better than UDC.³⁵ The group provided an organizational front for its leaders, including DRO chairman (and Budget committee member), Rep. James Jones (D-OK) to negotiate on behalf of Democrats with Republicans in budget battles (White and Wildavsky 1990, 93). Jones' position as the face of DRO strengthened his capacity to speak on behalf of southern conservatives, while also helping him to keep the "boll weevils" in line for the leadership.

While UDC's downfall is arguably more a reflection of its focus as a leadership platform for individual members (especially Rep. Sisk), DRO's fate was linked to the presence and size of southern conservatives in the Democratic Caucus. As their numbers declined throughout the 1980s and the 1990s, it is not surprising that the group itself declined. The birth of the Blue Dogs Caucus in 1995 amidst the loss of the Democratic majority provided a new voice for moderate and – to the extent they were still represented in the party – conservative Democrats (Hammond 2001).

Of these three groups, the CBC is undoubtedly the most successful, both in terms of the longevity of the group and their role within Congress. The group's specific legislative goals are seldom achieved, but the CBC always has a seat at the leadership table, and their annual budget proposal often shifts members' attention to different spending priorities (Hammond 2001, 83). The CBC is also the only Democratic group to start their own comprehensive information services for members as well (although it has never come close to rivaling the breadth and depth of DSG's services). The "Legislative Research Service" began in 1982 and was specifically designed to aid members with "substantial black and minority populations in their district." The CBC's research portfolio included a newsletter, in-depth research on long-term legislative

³⁵ It also regularly provided informational resources for members, while UDC did not (Hammond 1991).

proposals and policy issues, “outreach” on behalf of members publicizing their legislative efforts “in support of CBC,” and access to the CBC “Braintrust” of important figures in a range of areas outside of Congress.³⁶

The Republican Response. The processes analyzed in the preceding chapters focus on the role of a single organized faction of junior liberal members within the Democratic Party. But a small cohort of junior liberal Republican members were key partners at nearly every step. While they led their own simultaneous challenge to the status quo within the Republican Conference (Elder 1970; Oleszek 1975), they served as key resources, contacts, and votes, for many of liberal Democrats’ policy and procedural goals.³⁷

In nearly all of the policy areas analyzed in the previous chapters, including civil rights, voting rights, defense, D.C. home rule, campaign finance, among others, liberal Republicans helped DSG develop and mobilize a majority floor coalition. A small group of Republicans, including members like Rep. Tom Curtis (R-MO), Barber Conable (R-CA), and John Anderson (R-IL), routinely worked with DSG to disseminate the group’s policy research to their colleagues, and to mobilize their likeminded allies to sign discharge petitions and support key amendments on the floor. As liberal Democrats remained a minority in the House throughout the 1960s-1980s, liberal Republicans consistently provided the winning margin of victory on legislation that brokered opposition from southern conservatives.

³⁶ May 4, 1982 memo from CBC Chairman Walter Fauntroy to Members of Congress re Subscription to CBC Legislative Research Service. DSG Papers, Part II, box 154, folder 8.

³⁷ The major difference is that, as the minority party, the leadership was far more involved. Republican leaders saw the adoption of reform as integral to their pursuit of majority party status (Cox and McCubbins 2005). The Republican party “could not afford to let the other take credit for reforming the seniority system” (Oleszek 1975, DSG Papers, Part II, box 163, folder 3). Leaders were persuaded that “it would be smart politically for the Republicans to get the jump on the Democrats and propose a better way to run the House” (Elder 1970). DSG Papers, Part II, box 163, folder 6.

Republicans were also, of course, critical to the adoption of rules reform on the House floor. In many ways, their role is easy to overlook – the majority party sets House rules and procedures; the minority-Republican party theoretically played no role in crafting and approving rules reforms. Nevertheless, Republicans significantly shaped liberal Democratic reform efforts. Liberal Republicans cast key votes on a variety of reforms in the 1960s and 1970s. And the Republican leadership supported DSG’s preferred strategy of transforming party caucuses into the site of rules reform by crippling the piecemeal attempts of errant liberals to force floor consideration of committee reforms. Later, Republican leaders helped stem the increasing power of the Democratic Caucus when it threatened to limit minority party influence – with significant long-term consequences for the power of the body to set Democratic party policy.

Among the historic Democratic-led reforms adopted with Republican support is the temporary expansion of the Rules Committee from 12 to 15 members in 1961 (made permanent, again with Republican support, in 1963). Most Republicans, including then-Minority Leader Charles A. Halleck (R-IN) opposed the Rules expansion, but its adoption would not have passed without the support of a plurality (22) of Republicans. Rep. Tom Curtis (R-MO) led the group, and even attempted to persuade Halleck to remain unopposed to the plan.³⁸ Curtis believed it would put Democrats “on the spot” and ensure they would be held accountable for the success – and failure – of the party’s legislative program.³⁹ While the full Conference voted to oppose the Rules expansion, Republican support nevertheless enabled its adoption 217-212. On January 9,

³⁸ As detailed in chapter six, Curtis also served as a crucial partner to DSG in the joint effort to compile an up to date compendium of House procedure and precedent (known as “Project Saltmine”).

³⁹ Rep. Richard Bolling (D-MO), Speech, Midwest Political Science Association Annual Meeting, Columbia, Missouri, March 11, 1961. DSG papers, Part II, box 159, folder 2.

1963, the expansion of the Rules Committee was made permanent (H.Res 5) by a vote of 235 to 196; 28 Republicans joined Democrats to support the proposal.⁴⁰

Republicans also helped assure the passage of the 21-day rule in 1965.⁴¹ Despite a 295-140 majority in the 88th Congress, Majority Leader Carl Albert's (D-OK) rules package passed 224-202. The 16 Republicans who supported the package were critical for the adoption of the rules package, including the 21-day rule. The 21-day rule was overturned two years later, but its adoption coincided with the passage of several historic Great Society programs under President Lyndon B. Johnson's Administration.⁴²

Five years later, Republican support helped lead to the adoption of recorded teller voting on amendments in 1970. It is difficult to precisely identify Republican support for this reform as – somewhat ironically – the approval of recorded teller voting on amendments was adopted via an (anonymous) voice vote on an amendment to the 1970 Legislative Reorganization Act. But not only were the 182 cosponsors of the recorded teller vote amendment to the LRA roughly equally split between Democrats and Republicans, Schickler (2001, 216) found that Republicans were more likely to support the amendment itself than Democrats.

Strategic Republican opposition (or perhaps more accurately, neutrality) was also critical for ensuring seniority reforms remained off the House floor – thereby elevating each party's caucus as the primary legislative site and forum through which committee and leadership reforms

⁴⁰ In 1963, Rep. Melvin R. Laird (R-WI) offered his own proposal to reform the Rules Committee as an amendment to H.Res 5. Laird's proposal would have maintained the expansion, but altered the ratio between the majority and minority party. The Republican leadership did not support Laird's proposal (which never received a direct vote on the merits), and opposed the expansion of the committee altogether as "packing." The ranking Republican on the Rules Committee, Rep. Clarence J. Brown (R-OH) argued that it was "ethically and morally wrong" to "pack" the committee. "Criticism of Congress Provokes Few Changes." 1964. In *CQ Almanac 1963*, 19th ed., 369-76. Washington, DC: Congressional Quarterly.

⁴¹ "House Rules Changes Enhance Majority Rule." 1966. In *CQ Almanac 1965*, 21st edition: 585-90. Washington, DC: *Congressional Quarterly*.

⁴² See chapter six for a longer discussion of the adoption of the 21-day rule.

are debated. Party caucuses are the unquestioned site of rules reform today, but their role as a mechanism of legislative reform was by no means a settled matter in the 1960s.⁴³ The seniority system was a mere norm in the 1960s, unwritten in the Constitution, House rules, or party bylaws – a fact that many members were unaware of. Members of Congress of both parties testified before the 1965-1966 Joint Committee on the Organization of Congress about the problem posed by the seniority system. And the corresponding 1965-1966 House Republican Task Force on Congressional Reform & Minority Staffing considered seniority reform proposals that would have provided for committee chairs to be elected by secret ballot by committee members.⁴⁴ These events suggest that Republicans (as well as many Democrats) believed the House had the prerogative to consider seniority reforms.

The eventual decision by liberals to pursue committee leadership reforms through the Democratic Caucus was strategic – as a voting bloc, liberals constituted a larger portion of the Democratic Caucus than the full House. But Republicans played a key role in keeping seniority reforms off the House – and enabling this strategy to be successful. Minority Leader Gerald R. Ford's (R-MI) comments during floor debate on a challenge to Rep. John McMillan's District Committee chairmanship in 1971 underscores Republicans' support for reserving party

⁴³ This is perhaps not surprising given that the (majority) Democratic Caucus did not even meet regularly prior to 1969.

⁴⁴ The task force was organized in response to Republicans' frustration about Democratic dominance of the Joint Committee, as well as the limited capacity of the Committee to provide recommendations on House rules and procedures (as provided for in the resolution). A compendium of selected proposals offered by the House Republican Task Force includes a proposal by former Rep. John Lindsay (R-NY) who endorsed chair election by committee members over election by party caucuses (although he acknowledges it would decrease party power) (1966, 31).

prerogative on committee leadership selection. Ford's comments came after liberals' motion to strip McMillan of his chairmanship had already failed in the Democratic Caucus.⁴⁵ He said:

“The Democratic caucus made a decision on committee chairman. Whether we on our side agree with it or not, *by precedent that is a matter within the ranks and prerogatives of the majority party*. The Democratic Party was chosen to be the majority party in the 92nd Congress...that was the judgment of the American people last November, and if they are to carry out as they see fit the mandate given them, the Democratic Party in the House of Representatives ought to have the right in a democratic process to choose the individual on each of the standing committees who should serve as the chairmen of those committees. *By precedent and otherwise, we on our side should not get into the procedures and prerogatives of the majority party....the matter is one for the Democrats to decide and not for us*” (emphasis added).⁴⁶

If Ford – or a sizable number of rank and file Republicans – chose to side with Waldie and support his resolution, they could have upended years of precedent – and potentially shifted institutional control within the House.⁴⁷ Many Republicans shared Waldie's frustration with McMillan's leadership of the District Committee, especially his steadfast opposition to D.C. home rule. Instead, Ford gave an impassioned argument in support of majority party prerogative. In the process, he foreclosed any further consideration of Waldie's resolution, as well as any potential coalition between junior Democrats and the Republican leadership.

Republicans also helped to shape the discourse around DSG's efforts to strengthen the Democratic Caucus – and thus, how many Democrats came to view some of the reforms themselves. For the minority party, the increased power of the Caucus did not just cut into

⁴⁵ Liberals, including Reps. Donald Fraser (D-MN) and Charlie Diggs (D-MI) – both DSG leaders and District Committee members – failed to successfully remove McMillan as chairman. Later, Rep. Jerome R. Waldie (D-CA) introduced a motion to remove McMillan as District chairman on the House floor.

⁴⁶ *Congressional Record*, 4 February 1971, H1711.

⁴⁷ Republicans organized their own reform committee within the Republican Conference that proposed reforms to the party's selection of ranking committee members, as well as full committee chairs (in anticipation of the party's eventual majority status). Indeed, Republican activities on seniority reform helped spur the Democratic leadership to act. Although DSG's proposal to create the Committee on Organization, Study and Review (OSR) within the Democratic Caucus was on most members' radar for several months before Republicans announced their activities, it was not fully considered or adopted by the Caucus until after the Republican leadership announced their own committee.

committee power, but their own power too. On November 25, 1974, Republican Conference Chair John Anderson (R-IL) spoke out on the House floor against many of DSG's proposals to strengthen the Caucus:

“Mr. Speaker, I have obtained a copy of a secret Democratic document which outlines proposals aimed at increasing the stranglehold of the Democratic Caucus over the legislative process in the 94th Congress. This document is a 14-point set of so-called reform proposals drawn up by the Democratic Study Group to be offered at the early organization meeting of the caucus on December 2.”⁴⁸

Anderson branded these proposals as a return to the “King Caucus,” the historical congressional body responsible for selecting party nominees for the presidency prior to the dual developments of the modern two-party system and the presidential primary process.⁴⁹ His comments came on the heels of the election of the Watergate Babies – a class of 75 new Democrats elected amidst the Watergate scandal and a national push for greater government transparency and accountability – and were in line with the position of some outside liberal groups, including Common Cause.

The Republican response to the growing power of the Democratic Caucus forced liberals to reckon with an inherent tension in their reform campaign. Liberals fought to enforce transparency on the committee system and the House floor while simultaneously strengthening the power and role of a party body that operated exclusively behind closed doors. Moreover, Anderson's (R-IL) comments foreshadowed a Republican response to the reforms that liberals might face in their own future re-election campaigns. How could young liberals elected with the

⁴⁸ Anderson also criticized DSG's proposal to provide a permanent 2-1 majority-minority ratio on the Rules, Ways & Means, and Appropriations committees, declaring that “this action would disenfranchise a portion of the minority party on these all-important committees whenever its ratio is greater than one-third of the House.” November 25, 1974, Richard D. Lyons, “Democratic Plan Assailed by G.O.P.,” *The Washington Post*. DSG Papers, Part II, box 140, folder 1.

⁴⁹ Some Democrats agreed with Anderson's categorization of the Democratic Caucus. Representative Joseph L. Fisher (D-VA) wrote a letter to the editor of the *Washington Post* arguing that “The Caucus should not be used for a referendum every week or two when 50 members don't like what a committee seems to be doing. This is an appeal to King Caucus...” (Wolfsinsburger 2005, 9).

promise to ‘open up’ Congress reconcile their support for “closed” party meetings with their support for “open” committee and floor proceedings?

Republican criticism of “closed” party meetings was not limited to rhetoric; on April 29, 1975, the Conference voted to open their own meetings to the public. In practice, ‘open’ meetings (which were usually held on the House floor by both parties) meant that the press was invited to attend the meetings and the official record was available to the public.⁵⁰ Along with the pressure of outside liberal and good-government groups, Republican efforts helped to embolden a strange coalition of conservatives and young liberals to support the adoption of “open” (Democratic) caucuses.⁵¹ Rep. Bill Chappell (D-FL) obtained the required 40-plus signatures to place the motion to open party meetings on the Caucus agenda, and on September 9, the Caucus voted to approve it.⁵²

Young liberals felt they needed to push ‘open’ caucuses to uphold the promises they made to their constituents, as well as the pledge most were spurred to sign from Common Cause.⁵³ Conservative Democrats, for their part, supported ‘open’ caucuses because they believed it would hinder the efficacy of the Caucus. If controversial or divisive issues had to be

⁵⁰ Democrats recorded the official account of the proceedings in the Journal of the House Democratic Caucus. Of course, the most problematic component of ‘open’ caucuses was the presence of the press. As there are no official House rules governing the management of party meeting records, the Journal of the House Democratic Caucus is often woefully incomplete. Rather than transcribing every word of debate, oftentimes the official record simply notes that “the resolution was debated.”

⁵¹ DSG was officially silent on the proposal to open caucuses to the press and others, but did not support them.

⁵² At this same meeting, the Democratic Caucus voted to abolish the rule providing that a two-thirds vote of the Caucus could bind members’ vote on the House floor (the Caucus maintained its power to bind committee members’ votes, however).

⁵³ For example, 8 freshman Democrats wrote a January 18, 1971 Dear Colleague letter that signaled the pressure they felt to act on the platform they developed as candidates: “Many of us ran on platforms that called for Congressional reform, and this was a major element in our election. We received a clear mandate from our constituents for significant changes in Congress to more truly mirror the needs and aspirations of all Americans.” Signed by Abourezk, Abzug, Badillo, Dellums, Aspin, Mitchell, Rangel, and Roush. 137, folder 1.

debated and voted on by Democrats publicly, it would simply be less likely that these issues would be addressed whatsoever (in keeping with Cox and McCubbins 2005).⁵⁴ Many of these same members would eventually come to view the opening of Caucus meetings as a mistake – but one that took years to rectify.⁵⁵

The examples cited above underscore Republicans' belief in majority party power as a legislative principle, as well as their strategic consideration that increased legislative transparency is especially helpful for the minority party. In the short-term, open committee and party meetings were helpful for Republicans who believed greater transparency would provide fodder against Democratic opponents in their own (re)elections. And like many conservative Democrats, Republicans believed transparency would make it more difficult for the party to address controversial or divisive topics. If a member is forced to go on the record on a thorny policy issue, party leaders will seek to protect their members and simply not address the issue whatsoever.

⁵⁴ It is also important to note that support among Democrats for certain reforms was repeatedly driven by a pressure to keep up with the progress Republicans made in adopting progressive changes to party organization. For example, Caucus chairman Rep. Dan Rostenkowski (D-IL) justified his support for a full-time caucus staff by noting that the Republican Conference already had 2 staffers solely devoted to party work (DSG papers, Part II, box 136, folder 11). Rep. Julia Butler Hansen (D-CO) suggested that OSR's timeline for completion of its report should not extend past the deadline set by the Republican committee on (seniority) reform headed by Barber Conable (R-NY) (DSG papers, Part II, box 163, folder 5). And when liberals argued on behalf of an elected Democratic whip position in the mid-1980s, one of their chief arguments was that Republicans had adopted an elected whip many years prior (DSG papers, Part II, box 162, folder 1).

⁵⁵ The remarks of two members of the 94th Class – Reps. Toby Moffet (D-CT) and Robert Edgar (D-PA) – in a 1980 meeting of the Democratic Caucus exemplify this learning process. Moffet was specific about how his first-hand experience had shaped his perception of open vs. closed caucuses: “I think one of the nice things about a closed Caucus is that we can be candid and I think some of us, particularly those of us who came in 1974 have, I suppose the word is, I should say, grown a bit, in terms of the way we look at things like closed Caucuses” (emphasis added). Edgar's comments underscore the broader learning process that young liberals elected in 1974 underwent during their first few years in office. He noted that he was part of a class that “thought of ourselves as sort of a group of reformers who were looking to reform the institution of the House and to try to make the system more efficient...we struggled perhaps sometimes because of not knowing how the system worked. I think after six years...a number of us have some ideas [now] about how the House of Representatives ought to function.”

And of course, the Republican party's interests were better served over the long-term by protecting the right of the majority party to organize the House as they saw fit to implement their agenda. Republicans in 1971 could not have predicted another 20-plus years of Democratic rule of the House (the party would not regain the majority until 1994). But whenever they retook the House, they wanted to enjoy the same rights and privileges normally afforded to the majority party – including control over the Rules Committee and the selection of committee chairs. It was simply not in the Republican Party's interests to upend years of precedent protecting each party's power to choose their own leaders, or the right of the majority party to organize the House. In the meantime, factions in the Republican party focused on strengthening their own capacity to oppose the majority, both within their own party and in the House. In this crucial area, DSG provided a model of how a minority group could affect the legislative process.

In 1963, liberal Republicans established the Wednesday Group (Rae 1989). The group's decision to organize was driven by the same institutional dynamics that spurred liberal Democrats to form DSG. Liberal Republicans had a limited role in developing party policy, and their seniority and ideology made it difficult to ascend the leadership hierarchy. Moreover, their support for the 1961-1963 increase of the Rules Committee from 12 to 15 members – crucial for the reform's passage – provoked punishment from the Republican leadership, who remained staunchly opposed to the expansion.⁵⁶ The group had a decidedly liberal and northeastern tilt at its founding. Rep. Silvio O. Conte (R-MA) described the group's shared interests: "At the time we felt that we were like skunks at a lawn party, so we might as well stink together" (Rae 1989, 164).

⁵⁶ Rep. John V. Lindsay (R-NY) recalled the leadership's response: "...under the Kennedy administration, we had a showdown vote on expansion of the Rules Committee. A handful of Republicans broke ranks and voted to expand the committee – about 12. The Republican leadership were incensed and they took steps to retaliate. Bradford Morse of Massachusetts was blackballed by the Acorns and other established clubs. So a small group of us founded the Wednesday Group" (Rae 1989, 164).

The conservative Republican response to DSG developed in 1973 with the founding of the Republican Study Committee (RSC). The RSC was intended “to give conservatives a more immediate and coordinated impact on the legislative activities of the House of Representatives” (Rae 1989, 172).

Of the two groups, the Wednesday Group represents the more cogent Republican response to the multi-faceted role of DSG in promoting information dissemination and participation among party members. Over time, the Wednesday Group adopted a more service-oriented, research-driven position within the Republican Conference.⁵⁷ The group’s reports helped drive U.S. policy toward China and the volunteer army in the 1970s, and towards Japan and environmental policy in the 1990s (Hammond 2001, 82). Unlike DSG however, which was explicitly designed to promote the advancement of junior members to leadership positions, the Wednesday Group’s leadership was consistently “a very heavyweight group in terms of seniority and ability” (Rae 1989, 191). Meanwhile, the RSC instituted leadership structures very similar to those in place at DSG – group chairs are nominated by a committee of previous chairmen (“the Founders”) and voted on by the full group; existing chairmen are guaranteed a position on the group’s leadership (“Steering Committee”) as long as they serve in the House. The result was a two-track system for ambitious Republicans. Members interested in rising through the leadership ranks were more likely to join the RSC, while members interested in developing and implementing policy were more likely to join the Wednesday Group.⁵⁸

⁵⁷ The Republican Study Committee soon became more service and research-oriented as well. One long-time DSG staffer said in an interview, “The real successor to the DSG was the RSC – solid information to serve an ideological purpose” (August 5, 2015 Interview).

⁵⁸ In recent congresses, many RSC members assumed formal party leadership roles, including former Majority Leader Eric Cantor (R-VA), current Conference Chairwoman Cathy McMorris Rodgers (R-WA), and current Rules Committee Chairman/former National Republican Congressional Committee Chairman Pete Sessions (R-TX).

Of course, like DSG, the Wednesday Group and the Republican Study Committee presented challenges for party leaders (Kernell 1997). Leaders protect the party brand and their own institutional power through control over career advancement opportunities for junior members, as well as access to policy and political information (Cox and McCubbins 1993, 2005; Peabody 1967). Organized groups such as these limit the capacity of leaders to control the agenda, or even protect their own legacy by choosing their own successor(s). These debates carried little significance however, under a Democratic majority. In 1994, the success of organized party groups – including DSG and the RSC – at shaping policy, procedure, and leadership within the House of Representatives became a liability.

Group Organization in the Aftermath of the 1994 Election

“We knew we were going to lose a lot of seats...I don’t remember us talking about us being out of a job. I don’t remember a lot of questions about what’s going to happen to the DSG if they win.”⁵⁹

“He’s [Gingrich] going to keep coming after us, and at some point, we’re not going to be able to hold.”⁶⁰

“The Democratic membership went into a fetal position.”⁶¹

The restoration of a Republican majority after 40 years in the minority produced sweeping changes in the power of party leaders, factions, and information in the House. If the Democratic reforms of the 1970s produced a gradual, incremental shift towards centralized party leadership power in the House, the formal and informal institutional changes adopted to the House after the 1994 election were anything but. Newly elected Republican Speaker Newt

⁵⁹ September 21, 2015 in-person interview with former DSG staffer.

⁶⁰ October 28, 2015 telephone interview with Scott Lilly.

⁶¹ August 5, 2015 in-person interview with former DSG staffer.

Gingrich (R-GA) immediately began enacting major changes to the committee system, floor procedure, and other administrative changes (Smith and Deering 1997). He asserted leadership control over the committee system by personally interviewing and selecting chairs himself (Aldrich and Rohde 1997). And he also took steps to change “the context in which he led” (Strahan and Palazzolo 2004) by embedding the abolition of legislative service organizations (LSOs) in the Republican rules package adopted in December 1994. The abolition of LSOs removed the capacity of members to formally share legislative resources and tools, significantly limiting the power of Democratic and Republican factions to challenge the Speaker.

Scholars, members, and other observers of Congress have alternatively described DSG, the RSC, and the CBC, as the “targets” of Gingrich’s decision. Even among DSG staffers, there is no firm consensus.⁶² But the group likely would have limited Gingrich’s ability to suppress the Democratic opposition, and control the more moderate members of his own Conference. When Scott Lilly became executive director of DSG following Dick Conlon’s death in 1988, he prioritized the accumulation of Republican research subscribers. Nearly 50 Republicans subscribed to DSG’s research publications by 1994, each paying several thousand dollars per year to receive information prepared “with a Democratic purpose.”⁶³ Many of them did so under the (real or perceived) threat of retaliation by Republican leaders.⁶⁴ In 1993, Republican Conference Chair Dick Armey sent a letter to Republicans imploring them to neither join DSG nor subscribe

⁶² DSG staffers were divided about whether the abolition of LSOs by Gingrich targeted DSG. Some staffers interviewed, including former executive director Scott Lilly, thought that Gingrich was simply “an intellectual that opposed free access of information.” Others were unequivocal – “the decision about LSOs was targeting DSG.” Scholarly research on the Congressional Black Caucus offer similarly opposing views of the true target of Gingrich’s decision (Singh 1998)

⁶³ August 5, 2016 Interview.

⁶⁴ Lilly recalls that “Gingrich and Armey were not only discouraging Republicans from subscribing but threatening them – “we know who you are and we’re not going to do you any favors if you want to change committees or anything else.” Lilly’s comments are in keeping with political science theories about how party leaders incentivize adherence to good behavior by party members (Pearson 2015).

to the group's research services *using their personal office funds*.⁶⁵ In fiscal 1993, Republicans alone contributed \$160,000 to the DSG budget in subscriber fees. Armeý argued that:

“Republican support for the DSG is not a harmless use of official funds, solely entitling subscribers to bill summaries and amendment information. Republican support for the DSG has greater implications, as well as consequences, for all House Republicans.”

According to the Republican leadership, these members were subsidizing DSG's partisan goals to the detriment of the broader party's interests. Armeý's argument that Republicans rely on the research provided through the Conference suggests that the leadership was interested in controlling the information rank and file members used to understand policy issues and legislation.

The abolition of LSOs ensured that neither Democrats nor Republicans could contribute to DSG's procedural, policy, or leadership goals. It was also a backdoor way to regulate minority staffing levels – a fitting coda to decades-long debates between Democrats and Republicans about guaranteed minority staffing levels. The two parties went back and forth for decades over guaranteed minority staffing levels, and they were essential to the debates of the 1965-1966 and 1992-1993 Joint Committees on the Organization of Congress, as well as the 1970 Legislative Reorganization Act. (Binder 1997). Ironically, DSG frequently opposed Democratic leadership efforts to restrict Republican staff levels; former DSG Chairman Frank Thompson, Jr. (D-NJ) even offered the amendment to the 1970 Legislative Reorganization Act to guarantee the minority one-third of committee investigative staff. In real terms, it removed 18 full-time, highly trained staff members whose procedural and legislative expertise, and press and interest group contacts, would have enabled the Democrats to oppose the new Republican majority.

⁶⁵ DSG bylaws did not allow Republicans to become “members,” though they could become research subscribers. DSG Papers, Part II, box 134, folder 5.

The archival records and interviews reveal a five-month effort to save DSG after the election. Out-going chairman Rep. Mike Synar (D-OK) originally proposed increasing DSG's subscription fee to compensate for the loss of 53-dues paying members. But after the Republican Conference voted in early December to eliminate LSOs, this strategy became moot. 150 Democrats signed a letter imploring Gingrich "to recognize the legitimate role that DSG has to play in a healthy, honest, and open debate."⁶⁶ Despite the proliferation and fragmentation of member loyalties between multiple member groups in the late twentieth century (Kernell 1997; Hammond 1991), Democrats were especially loyal to DSG. It was the only group Democrats rallied to save.

The rally was short-lived, however, and the group would not survive the first three months of the new Republican majority.⁶⁷ On January 25, 1995, DSG moved out of the Longworth offices they had occupied since 1958.⁶⁸ According to a longtime DSG staffer present for the move, it was an ugly experience. Republican staffers destroyed DSG property: "We had a whole printing operation – 2 or 3 printers. They [Republicans] seized everything. Even though we bought it, they just destroyed it."⁶⁹ In the intervening period, staffers worked in House annex #2 ("the step-child building") to continue producing materials for Democrats.⁷⁰ Absent access to

⁶⁶ December 8, 1994 letter to Gingrich from 150 Democrats. DSG Papers, Part II, box 134, folder 5.

⁶⁷ Shortly after Democrats sent Gingrich a letter requesting that he reinstate DSG as the Democratic LSO, DSG held their last leadership elections. See chapter five for a discussion of these events.

⁶⁸ January 25, 1995 letter from Joel Johnson to Inspector Reginaldi of the U.S. Capitol Police, DSG papers, Part II, box 186 (previously restricted access, Part II, box 3, folder 7).

⁶⁹ August 5, 2015 interview. This DSG staffer's comments are in keeping with the interviews conducted by Hawkesworth (1997) with black women members. Rep. Barbara Collins reflected on the forcible removal of the Congressional Black Caucus during this same period: "They confiscated our money. They said it was Congressional money anyway, because we paid out CBC dues from our operating budgets...then they took the furniture, including our typewriters and Xerox machines, and auctioned it off...then they changed the locks on the doors...we were under siege" (538).

⁷⁰ One staffer recalls working with blankets in darkness because "they [Republicans] turned off the lights" and heat. This would have been especially difficult for DSG as a considerable portion of the group's work, including the editing, printing, and compilation of research reports, for members, occurs in the late evening and early morning hours.

clerk-hire funds, DSG secured a \$300,000 grant from AFL-CIO, which paid the group's bills and staff salaries (though several payrolls were skipped). Under these limited resources and the leadership of new chairman David Skaggs (D-CO), the group continued to conduct policy and legislative research for members, although it was a fraction of the services provided for members previously.⁷¹

By March, new Minority Leader Richard Gephardt (D-MO) had hired a DSG researcher to develop an information service within the Democratic leadership. And the other dozen or so DSG staffers were hired by *Congressional Quarterly* to launch what is now called "House Action Reports," a legislative briefing that mirrors DSG's *Fact Sheet* in both form and content. Interviews with DSG staffers provide slightly different accounts of the exact sequence of events between the January move and March (and the archival record is sparse). Each affirms however, that DSG's research division fulfilled the information needs of both the Democratic leadership and the press outside of Congress. The new, resource-poor leadership was responsible for immediately providing increased information services to members, while *CQ* (like many newspapers) had come to rely on DSG's research publications to maintain their coverage of the complex legislative schedule.

One staffer attributes the hiring of two DSG researchers – Kit Judge and Margaret Capron (O'Connor 2009) – by Gephardt to Rep. Dave Obey, a former DSG chairman and staunch ally of the group. She said, "He [Obey] convinced them [the leadership] at the beginning, you need to get at least a little bit of the brainpower of the DSG."⁷² Other accounts suggest that staffers believed Gephardt "would come to our rescue," and when he did not, they had to look out

⁷¹ August 5, 2015 interview with DSG staffer.

⁷² September 20, 2015 Interview with DSG staffer.

for their own livelihoods.⁷³ *CQ* provided a stable, professional opportunity that allowed staffers to continue conducting research and writing on the important policy issues and legislation of the day. The imprint of DSG staff on the Democratic leadership and *CQ* continues today.⁷⁴ The absorption of some of DSG's services by the Democratic leadership was a significant unintended consequence of Gingrich's decision to abolish LSOs. The centralization of policy and political information within the Democratic leadership is a major source of leader power, and arguably polarization, today (Sinclair 2011). Gingrich intended to centralize power in the Speakership, but he unequivocally aided in further centralizing power within the Democratic Caucus as well.

The failure of DSG to survive 1995 while other groups continued to remain relevant and active in subsequent Congresses is, at least on the surface, puzzling. The group was the most professionalized of all member groups on Capitol Hill, with the largest staff and resource base, and strongest party support. But the abolition of LSOs forced liberals to re-evaluate whether it was still in their interests to organize independently of the leadership. Over a several-decade period, "liberal" interests had become "Democratic" interests. And ultimately, the failure of DSG to survive 1995 is more of a reflection of the successful tenure of the group in the House than the inability of liberals to pool clerk-hire and research subscriber fees to pay the bills. If liberals in the late 1950s organized because the party did not subsidize – and sometimes thwarted – their policy, electoral, and power goals, then liberals in 1995 did not face the same institutional biases. The party subsidized the pursuit of liberals' policy, electoral, and power goals. Participation opportunities were plentiful. Committee leaders were accountable to, and the leadership was an ally of, *liberal* Democrats.

⁷³ August 5, 2015 Interview with DSG staffer.

⁷⁴ Capron remains a policy researcher for Minority Leader Nancy Pelosi (D-CA). And Chuck Conlon, the son of DSG's longtime executive director Dick Conlon, now runs House Action Report for *CQ* (long-time DSG staffer Kerry Jones was in charge for over two decades until his retirement).

Junior Democrats in the 1950s relied on an amateur party organization that offered few rewards for membership or good behavior, and did not subsidize legislative work. Democrats in the 1990s were supported by a professionalized and empowered leadership that provided a range of services to members, including coordinated party messages on policy, draft speeches, official travel support, and an expansion of the suspension calendar.⁷⁵ These developments were aided by a significant increase in legislative branch appropriations for party offices. Between 1971 and 1991, funding for the Democratic Steering Committee and Democratic Caucus grew from a combined \$56,000 to \$1,476,000 (an increase of 2,536%), and for the Majority Floor Leader's office from \$322,700 to \$1,137,000 (and increase of 252%).⁷⁶ The Democratic Caucus finally received a budget of its own in 1976; previously, the party chair subsidized the few resources provided by the Caucus out of their own personal office budget.

Democrats in the 1950s had an amateur whip organization that frequently failed to consult or inform them of upcoming floor votes (Ripley 1964). Democrats in the 1990s had a highly professionalized and active whip system comprising nearly half the Caucus that regularly kept members abreast of changes in the legislative schedule and consulted them about their policy preferences (Price 1992; Meinke 2016; Sinclair 1989). From 1971 to 1991, legislative branch appropriations for the whip increased from \$371,300 to \$1,338,930, an increase of 261%. The whip position was also now elected by, and thus accountable to, members (Peabody 1986).

⁷⁵ January 29, 1985 Dear Democratic Colleague letter from Rep. Bill Alexander (D-AR), Chief Deputy Whip, DSG Papers, Part II, box 162, folder 2. Internal DSG memo, "Ways in Which Speaker Has Been Strengthened in Recent Years." Part II, box 105, folder 5.

⁷⁶ The Democratic Caucus did not receive appropriations for full-time staffers until the adoption of H.R. 6950, the Legislative Branch Appropriations Act for 1976. "Congress Appropriates \$827.5-Million for Itself." In *CQ Almanac 1975*, 31st ed., 847-56. Washington, DC: Congressional Quarterly, 1976.; H.R. 2506, Legislative Branch Appropriations Act, 1992, 102nd Cong., Congress.gov (enacted); "Notes regarding leadership funds." DSG Papers, Part II, box 105, folder 5.

Junior Democrats in the 1950s had few opportunities to assume committee and subcommittee chairmanship positions, and had no control over the selection of those members that did. In the 1990s, committee chairs were not only accountable to other Democrats, but high-ranking committee members had the opportunity to assume the chairmanship over the most senior member. Subcommittees also proliferated in the 1990s; and party limits on the number of chairmanships (and memberships) any one member could hold provided numerous opportunities for junior Democrats to assume policy leadership roles (Loomis 1984).

Junior members in the 1950s were dependent on the whims of the Parliamentarian and chance access to parliamentary precedent to develop procedural expertise, and protect their individual rights to participate. Junior members in the 1990s had regular access to an up-to-date compilation of House procedure and precedent (Kravitz 1990, 392), as well as opportunities to develop first-hand parliamentary experience through service as floor leader managing the consideration of a bill.

Democrats from marginal districts in the 1950s were stymied by a campaign committee that disproportionately gave monies to safe-seat, southern members, and generally failed to distribute information, such as draft speeches and opposition research. Democrats in the 1990s had developed a professionalized campaign committee that effectively targeted resources and services towards the members who needed them most (Glasgow 2002).

Committee and subcommittee chair positions in the 1950s were dominated by conservative interests, while liberals dominated committee leadership positions in the 1990s (Becker and Moscardelli 2008). And if party leaders in the 1950s represented the longstanding, yet tenuous coalition between urban, big machine Democrats and southern conservatives, party leaders in the 1990s were among the strongest liberals (Harris and Nelson 2008). Indeed, during the 103rd Congress, committee and party leaders were as liberal as DSG's leadership (see chapter

5). And of course, the 1994 election produced a far more homogeneous – and liberal – Democratic Caucus than existed in any prior congress.

Undoubtedly, individual members continued to face some challenges asserting their influence. The leadership had yet to develop a robust party information services, and members were often forced to vote blindly on legislation.⁷⁷ The stark increase in closed or modified closed rules made it difficult to participate in policymaking on the House floor (CQ Almanac 1986, 29-35). Some committee chairs remained incredibly powerful and Speaker Thomas Foley (D-WA) acquiesced to their demands far more than liberals would like.⁷⁸ And the party continued to focus too much on short-term policy goals, often failing to develop long-term policy agendas that would unite the broader party (see chapter six).

But liberal Democratic interests were now firmly embedded in congressional and party institutions. The institutional dynamics that had driven liberals to organize in September 1959 and throughout the 1960s and 1970s were no longer present. If factions or groups organize because of the party's failure to subsidize members' pursuit of their policy, procedural, and electoral goals, the loss of the majority shifted the calculus for individual Democrats. In 1995, the hurdle to influence no longer lay with committee chairs or their leaders, or even other factions in the party, but with the new Republican majority.⁷⁹ A letter sent by 150 Democrats, including

⁷⁷ For example, DSG Chairman Bob Wise (D-WV) said during a May 20th, 1992 Reform Task Force meeting that there was a "problem of major bills coming to the floor with Members having little knowledge of what's in them. A Caucus meeting [to brief members] just before the floor vote, as with today's meeting on the Energy bill, is crazy." DSG Papers, Part II, box 126, folder 3.

⁷⁸ In an interview, Scott Lilly said that "There was a small group of very powerful members who...had been close to [Speaker] Tip [O'Neill] and they were putting boxes in front of [Speaker] Tom Foley." He also noted that by the 1990s, "There were clearly a number of committee chairmen who were frankly dead soldiers. They were too old or enfeeble to really do their jobs, and in some instances, the power and prerogative of the chairmanship were being exercised by staff members who did not have responsibility and accountability, and were at constant risk of embarrassing the institution."

⁷⁹ The abolition of LSOs impacted all party groups with an LSO designation, which meant that liberals would likely face less organized competition from other groups.

new minority leader Richard Gephardt, after the December 1994 LSO vote underscores the immediate shift in liberal priorities produced by the election:

“We can only view it as an effort to *censor opposing views*, and to deny the primary source of information to the *Minority party* as we embark upon a furious legislative schedule....Given that DSG helps Members to maximize the use of House resources, eliminating DSG must be seen as an effort to *stifle debate and criticism* of legislation that the new *Republican Majority* produces.”⁸⁰

Liberal interests were not DSG’s interests, but *minority* party interests; they were not ideological, but partisan. And of course, absent the responsibility and privilege of organizing the House, intra-party battles over the distribution of power and the capacity of the party to put forward a coherent agenda were largely arbitrary.

The party groups that survived persisted because their respective parties continued to poorly (or at least, inadequately) subsidize their goals. The Republican Study Committee (RSC), for example, initially folded in the wake of the abolition of LSOs, but it re-emerged as the Conservative Action Team (CAT) after some members grew concerned about the centralization of all legislative resources in the Speaker’s office.⁸¹ “The founders,” as they are known, were skeptical of the conservative credentials of Gingrich and other party leaders, and anticipated the party would not advance many of their policy priorities.⁸² They strategically bypassed LSO regulations by rotating single employees between each of their offices monthly. Their focus was inherently critical of the leadership – providing members with “objective analyses on leadership-endorsed legislation.”

⁸⁰ December 8, 1994. DSG Papers, Part II, box 134, folder 5.

⁸¹ Rep. Ernest Istook (R-OK) said, “It can’t be healthy for all the resources to be concentrated in the hands of party leadership” (Alberta 2013).

⁸² This group included the RSC’s most recent chairman, Rep. Dan Burton (R-IN), as well as three junior members, Reps. Istook (R-OK), John Doolittle (R-CA), and Sam Johnson (R-TX). The members initially served as chairman on a rotating basis every 4-6 months.

The Congressional Black Caucus (CBC) operated consistently despite the new resource restrictions. Previously supported by a budget of \$250,000, the group now relied exclusively on heavily restricted support from the Congressional Black Caucus Foundation (CBCF) (Singh 1997; Yang 1995).⁸³ The CBCF was also responsible for providing the types of research previously provided by the CBC. The 40-member CBC continued to fulfill an important legislative role, but its efforts were more symbolic – serving as the “conscience of Congress.”⁸⁴ However, unlike the RSC which valued ideological purity, the CBC adopted a new strategy of strategically developing partnerships with other allies, including the elderly, poor, and middle-class whites, as well as Asian American, Hispanic, and female members of Congress (Yang 1995).

Some new groups emerged in the post-LSO atmosphere as well, including the *Blue Dogs Caucus*, which formed in 1995 to strengthen their members’ capacity to influence the Democratic agenda, especially during budget negotiations (Hammond 2001, 218-219). The Blue Dogs originally numbered 23, and the group’s founding co-chairmen, Reps. Billy Tauzin (D-LA) and Jimmy Hayes (D-LA), eventually switched to the Republican Party.

Today, member groups such as these register as “Congressional Member Organizations” or CMOs with the House Administration Committee. CMOs are similar to LSOs such that they are groups of likeminded members united in some shared interest, or personal or professional background. In the 114th Congress, 464 member groups registered as a CMO with the House

⁸³ This model was adopted in part by other groups as well. For example, the bipartisan Women’s Caucus is managed by Women’s Policy, Inc. Today, it is known as the Women’s Congressional Policy Institute. It is not formally associated with the Congressional Caucus for Women’s Issues (CCWI), although “the two organizations share similar goals” (Women’s Congressional Policy Institute, 2017).

⁸⁴ Comments of Rep. Donald M. Payne (D-MD) (Yang 1995).

Administration Committee.⁸⁵ Among these groups include the Agriculture and Rural America Taskforce, the Congressional Academic Medicine Caucus, the Congressional Caucus on the Internet of Things, the Congressional Cut Flower Caucus, the Congressional Second Amendment Caucus, and the Ronald Reagan Caucus.⁸⁶ Some of these groups have a large leadership board and several shared staffers, but all face significant restrictions on their use of official House resources. CMOs may not have a separate website or office space, access to franking privileges, or stationary resources. CMOs *are* allowed to “utilize employees...and official resources under the control of the [CMO] Member to assist the CMO in carrying out its legislative objectives, but no employees may be appointed in the name of a CMO.” In other words, a member’s staff may devote some official work-time to a CMO, but it cannot constitute their primary professional responsibilities (the majority of their worktime must be spent elsewhere).

Group Organization in the Contemporary U.S. Congress & the Rise of the House Freedom Caucus

The 1980s-2000s oversaw the rise of strong, leadership-driven political parties. As Speaker, Tip O’Neill (D-MA), “saw the floor evolve into a much more efficient legislative machine, with most major bills brought under procedures barring more than a handful of amendments.” This centralization continued under Speaker Jim Wright (D-TX) – who added partisanship to O’Neill’s legislative machine – and to a lesser extent under Speaker Tom Foley (D-WA). Newt Gingrich (R-GA) strengthened the already strong Speaker’s office by centralizing

⁸⁵ These groups include 442 “caucuses”, 6 “coalitions,” 6 “working groups,” 6 “task forces,” and 1 “delegation.”

⁸⁶ 114th Congress Congressional Member Organizations (CMOs), December 1, 2016, House Administration Committee.

all information within the Speakership and decreasing the independent role of the Republican Conference.

Today, nearly every facet of the legislative branch is designed to discourage member participation in the legislative process. Leaders are incredibly powerful and possess an array of resources and tools to enact their agenda, and reward and punish members who disagree with them (Pearson 2015). Rank and file members are discouraged from learning about legislative procedure. While the House parliamentarian used to provide introductory seminars to new members to help them develop parliamentary expertise, they have almost no in-depth discussion with new members about legislative procedure today.⁸⁷ Most legislation is authored by the leadership and a small group of leadership allies (Sinclair 2011), and committees often play an insignificant role in the development of legislation. And the abolition of legislative service organizations has made it incredibly difficult for members to share resources and work together on policy issues, or to gain the skills and experience necessary to be competitive for leadership positions in the future.

The dual decline of committees and abolition of legislative service organizations has made rank and file members even more dependent on party leaders for information. It is not only more difficult to develop expertise in a particular policy area via your committee assignment, but members cannot easily share and develop their own informational resources (Ringe and Victor 2013). Leaders rely on a very small staff to provide their fellow partisans with information on every issue and piece of legislation on the legislative agenda.⁸⁸ And of course, a significant portion of these informational resources are sample press releases, talking points, and what Rep.

⁸⁷ February 16, 2016 in-person interview, former House Parliamentarian Charles Johnson.

⁸⁸ One current leadership staffer described her workload as “I have half the world...I’m spread very thin.”

Martin Olav Sabo and a Democratic leadership staffer separately described as “spin.”⁸⁹

Collectively, this information vacuum ensures that members vote blindly on most legislation (Curry 2015).

For many members and observers of Congress, the pendulum has flung too far much towards absolute party leadership power. If committee chairs in the 1950s and 1960s exercised veto power to the detriment of substantive debate and the expression of majority views, party leaders often play a similar role in the contemporary U.S. Congress. Junior Republicans hold few leadership positions, and junior Democrats have very limited access to party leadership positions (French 2016). They have little power to influence substantive policy outcomes, or receive votes on legislation they authored. Taken together, foreclosed leadership pathways and limited participation opportunities hinder members’ electoral odds as well. Once again, for many junior members, neither the Democratic nor Republican parties subsidize pursuit of their policy, electoral, or power goals.

In January 2015, these institutional conditions gave rise to another majority party faction, the House Freedom Caucus (HFC). Future work merits a close in-depth analysis of the HFC, but a brief examination of the emergence, organization, and impact, of the HFC in the contemporary U.S. Congress provides additional support for the theory of group-driven action offered in the preceding chapters.

The initial emergence of HFC is rooted in members’ complaints with a coalition forged between the Republican leadership and the Republican Study Committee, and the party’s perceived failure to subsidize their participation and goals in Congress. Among their complaints,

⁸⁹ November 20, 2015 in-person interview. Another former leadership staffer noted that “members feel like when they get materials from the leadership, they are being spun. And they are being spun some” [March 3, 2016 telephone interview].

members charged that Republican leaders did not promote legislation representative of the views of the majority of the party; Speaker John Boehner (R-OH) often relied on Democratic votes to pass legislation. The group of conservative junior Republicans were frustrated by their limited access to leadership positions and quality committee assignments. Only one founding members of the HFC held a subcommittee chairmanship, and many had been punished by Boehner for voting against him for Speaker and/or his policy priorities on the floor (Fuller 2016; CQ Almanac 2015). In the first six months of the 114th Congress alone, 2 members lost their position on the Rules Committee, 3 were removed from their whip positions, 1 lost his subcommittee chairmanship, and another was “prevented” from serving as GOP freshman class president (Taylor 2017).⁹⁰

HFC members argued that the leadership’s actions were damaging to their electoral goals as well – limiting their access to some of the inherent institutional benefits for re-election (Mayhew 1974). Rep. Mark Meadows (R-NC), for example, charged that a group with “leadership ties” had begun running television ads against him in his district (CQ Almanac 2015). Others faced electoral repercussions for the loss of good committee assignments. Rep. Tim Huelskamp (R-KS) lost his position on the Agriculture Committee – a position important to his rural farming constituency – for voting against Boehner in 2013 (and later in 2015 as well) (Sherman and Bressnahan 2015). As a result, he received a primary challenge in 2014 and 2016,

⁹⁰ In late 2012, Boehner exercised his power to deny several Republicans their preferred committee assignments. At the beginning of the following Congress, in January 2015, 25 Republicans voted for someone other than Boehner. In the immediate aftermath of the vote, Boehner removed Reps. Daniel Webster (R-FL) and Richard Nugent (R-FL) from their choice position on the Rules Committee. 3 members (Reps. Cynthia M. Lummis (R-WY), Steve Pearce (R-NM), and Trent Franks (R-AZ)) were removed from the whip positions; HFC member Mark Meadows (R-NC) lost his chairmanship of the Government Operations Subcommittee (CQ Almanac 2015, 43-47). Taylor (2017) also reports that Rep. Ken Buck (R-CO) was prevented from becoming the GOP freshman class president.

ultimately losing in 2016 to a challenger who repeatedly criticized his inability to advocate on behalf of the district's interests (Chokshi and Mele 2016).

Their frustrations were codified in Rep. Meadows's (R-NC) 'motion to vacate the chair,' which was a procedural move designed to force Speaker Boehner to resign. The resolution charged Boehner with the diminishment of Congress relative to the executive and the judiciary; using leadership power to punish members, and limit meaningful debate and member participation (especially the use of scheduling power to limit participation, informed voting and/or pressure members to support legislation) (CQ Almanac 2015, 43-47).⁹¹ None of these conditions were new in 2015. But whereas junior Republicans could previously channel their frustrations with the formal structures of the House into the Republican Study Committee (RSC), conservatives could no longer exercise that option – the RSC's leadership and the Republican leadership quietly worked together to fold the group into the formal leadership structure.

For decades, the RSC carefully structured itself to avoid leadership control or influence. When the group was reconstituted in 1995, the group decided to forgo RSC leadership elections out of a fear that they might "allow "moderates" to infiltrate the organization at the behest of the leadership and push a party loyalist for the chairmanship" (Alberta 2013). Instead, RSC leaders are selected from a group of prior chairmen known as "the founders"; eventually elections were instituted as a rote stamp of group approval of the founders' nominee. In 2013 however, Rep. Steve Scalise (R-CA), who was viewed by some as "too cozy with the leadership," beat the founders' choice, Rep. Tom Graves (R-GA), to become RSC chairman (Alberta 2013). Scalise's election came on the heels of a protracted period of conflict between Speaker Boehner and the

⁹¹ The motion was originally drafted in February 2015 and re-introduced in July 2015.

RSC over debt ceiling negotiations; RSC executive director Paul Teller was accused of undermining these efforts (and was later fired by Scalise).⁹²

Scalise's helm marks a turning point in leadership-RSC relations. After Rep. Eric Cantor's (R-VA) forced resignation and Scalise's election as whip in 2014, the RSC organization followed him into the official party leadership apparatus. The group boasts 11 staffers (while other groups like the CBC have none), and has dedicated office space denied to all other CMOs.⁹³ Unfortunately, legislative branch appropriations bills do not specify any formal sources of funding for the Republican Study Committee.⁹⁴ But the group is no longer registered as a CMO with the House Administration Committee – a striking lapse that suggests the group operates in a fuzzy institutional and organizational space.⁹⁵

The HFC grew out of this newfound arrangement. After Scalise's election as whip in 2014, several members began discussing the formation of a new group to counter the RSC, which they described as a “shadow conference” of the leadership (French 2015). Other RSC members referred to it as a “puppet of House Republican leadership that no longer stands for conservative values” (Caygle and Bade 2016). For the founding members of the HFC, party resources did not constitute “golden handcuffs” that limited their capacity to express their views (Clarke 2017); instead, the party simply failed to provide many of these resources to junior conservatives

⁹² According to Scalise, Teller was fired for leaking members' private conversations with conservative groups outside of Congress in an effort to mobilize members against the budget deal brokered by House and Senate Budget chairs Rep. Paul Ryan (R-WI) and Sen. Patty Murray (D-WA). He was fired over the objections of conservative groups like The Heritage Foundation and the Conservative Action Project, and he later went to work for Senator Ted Cruz (R-TX).

⁹³ According to the House Administration Committee, CMOs are not allowed to have their own official office space. However, nearly all groups list the address of its chairman or chairwoman as an official mailing address. But while the RSC chairman's office is located at 1305 Longworth HOB, the Republican Study Committee's office is at 1541A Longworth HOB (this address was formerly held by Rep. Billy Long (R-LA)).

⁹⁴ The group collects \$5,000 dues from members as sanctioned by its CMO designation.

⁹⁵ As of July 11, 2017, the RSC is not registered as a CMO; the group last registered as a CMO in December 2014 for the 114th Congress. It is worth noting that the Tea Party Caucus is also not currently registered as a CMO.

altogether. This real or perceived failure of Republicans party leaders to subsidize the policy, electoral, and power goals of junior conservatives drove them to organize the HFC. The 9 founding members sent out a press release announcing the formation of the “House Freedom Caucus” on January 25, 2015. Despite popular rhetoric to the contrary, the organization was intended to serve as a positive legislative force – enabling the leadership to draft and build support for conservative legislation (French 2015).

In the two and a half years since its founding, the HFC succeeded in driving all three facets of institutional change in the House. The group forced the resignation of Speaker John Boehner (R-OH), and single-handedly fostered the election of his successor, Rep. Paul Ryan (R-WI), over current Majority Leader Kevin McCarthy (R-CA); secured the appointment of a Conference task force on congressional organization (Sherman 2016); forced the leadership to reschedule and later change the content of the proposed 2017 Republican health care bill (*Roll Call* 2017; Fram and Taylor 2017); and shaped leadership negotiations on several other issues, including tax reform (McPherson 2017) and the debt limit (Krawzak 2017).

The effectiveness of the HFC at attracting steady media attention, and shaping policy outcomes, leadership races, and rules debate, has taken many observers of Congress by surprise. And it has largely been explained by “simple arithmetic” (DeSilver 2015) – given the size of the Republican majority, the 30-40 members of the HFC can sway outcomes on the floor if they vote together as a bloc. Nevertheless, this explanation alone does not explain the wide-ranging influence the group has managed to exert in an institution environment and era in which junior members should have little power. The emergence, activity, and influence, of the HFC also remains largely unexplained by dominant political science theories of parties (Cox and McCubbins 1993, 2005; Rohde 1991; Aldrich 1995; Bawn et al. 2012). The rewards and punishments thought to keep party members in line and suppress embarrassing public divisions

neither deterred the establishment of HFC nor has it limited the group's activities. Moreover, interest group pressure and public opinion spurred the establishment of the Tea Party Caucus by Rep. Michelle Bachmann (R-MN) in 2010, but outside group pressure did not similarly spur the emergence of the HFC.

Often overlooked in these conventional views is that the HFC is not simply a voting bloc – they are a highly organized faction. The group's first meeting on January 25, 2015 immediately established a dues-paying structure and initiated plans to hire 3-4 staff members (French 2015).⁹⁶ The HFC developed and adopted a set of bylaws to structure group decision-making, and govern the membership. Policy and leadership endorsements by the group require a vote by 80% of members, and are binding on group members. The HFC is led by a 9-member “board of directors,” each of whom is elected by the full membership; the chairman is elected from the 9-member board to a single (though not term-limited) one-year term in late November (Scott 2016). And HFC members must be invited to join the group by an existing member (known as a “sponsor”), but the HFC will not disclose membership lists (of course, individual members can choose to do so). While I do not analyze the group's membership here, others have found that HFC members are more junior (72% average 1-3 terms in office) and more conservative (median DW-NOMINATE score of 0.659) than other Republicans (DeSilver 2015); are more obstructionist and less reliant on leadership campaign support (Taylor 2017); and are elected from districts that are more Republican than their colleagues (Bialik and Bycoffe 2015).⁹⁷ In addition, the HFC has developed strong press and interest group contacts (Taylor 2017); the group's members and leaders make regular appearances on news, talk show, and radio programs; and

⁹⁶ The group later hired Justin Ouimette to serve as executive director. Ouimette previously served as legislative director for Rep. Mark Sanford (R-SC), a HFC member (French 2016b).

⁹⁷ 54% of all Republicans have served 1-3 terms in office, and the median DW-NOMINATE score is 0.457 (or as DeSilver (2015) notes, roughly in line with the ideology of Majority Leader Kevin McCarthy (R-CA)).

allies like the Heritage Foundation helps support members' efforts outside of Congress. The group also developed two political action committees – the House Freedom Fund and the House Freedom Action Fund – to channel financial resources towards conservative challengers.

And of course, the group also has the nascent stages of their own information systems – developing and marshaling legislative resources to work towards their common goals. For example, although Rep. Mark Meadows (R-NC) February-July 2016 “motion to vacate the chair” was widely analyzed through the lens of party politics, the careful procedural research and expertise necessary to produce it went largely unnoticed. The strategy, structure, and content of Meadows’ “motion” required considerable procedural study, which suggests that the HFC is developing an intimate familiarity with the rules that shape legislative power.⁹⁸ And during the spring 2017 health care negotiations, chairman Mark Meadows (R-NC) marshaled the group’s resources to commission an outside study of the health care amendment he drafted with Rep. Tom MacArthur (R-NJ) of the moderate Tuesday Group (Bade 2017). This was important to winning the support of wavering HFC members when Congressional Budget Office analyses were not yet available. The HFC not only endorsed the bill, but 30 voted for it on the floor (Soffen, Cameron, and Uhrmacher 2017).⁹⁹

These organizational features do not simply provide a formal structure to the group’s activities – each plays a role in enabling junior conservatives to overcome the common pitfalls of group coordination and the realities of the legislative environment. Invitation-only membership rules ensure that the HFC does not suffer from the oft-fatal internal debates between dogmatic purity and pragmatism (Schwartz 2006; Weinstein 1967) – a fate which arguably befell the RSC

⁹⁸ Interview with former House parliamentarian Charles Johnson, February 16, 2016.

⁹⁹ April 26, 2017, Press Release, Rep. Mark Meadows (R-NC), “House Freedom Caucus Announces Support for House AHCA Bill with MacArthur Amendment.”

– while the secrecy of HFC membership lists prevents electoral opponents from using association with the group against members in future elections.¹⁰⁰ HFC leadership elections provides an authoritative voice for group interests – giving members a weekly seat at leadership meetings (Scott 2016) – and ensures that the group continues to function even when members are busy or less-invested in the given issue at hand. And the group’s press and interest group relationships, PAC donations, and information services, are selective benefits that encourage members to participate in, and contribute to, the HFC (Olson 1965).

The emergence and effectiveness of the House Freedom Caucus in the 114th and 115th Congresses merits close in-depth analysis in future work. And indeed, the group provides a strong test of the theory offered here. The contemporary House has significantly limited the capacity of members to share resources and work together – in short, to develop organizationally. Partisan polarization and ideological homogeneity within both parties has foreclosed prior historical pathways (alternatively) predicated on bipartisan cooperation and coalition, and ideological cleavages within the majority party. Yet the efforts of the HFC suggest that members do indeed possess some agency and responsibility for the responsiveness of the legislative branch to pressing national problems, and its function within the federal system.¹⁰¹ While observers of Congress rightly debate the efficacy of the HFC’s policy positions, their effectiveness in an era and institutional environment in which individual members are theoretically powerless to affect the legislative body underscores that members themselves are *not* passive, subservient actors.

¹⁰⁰ Notably, the group has experienced several high-profile resignations, including Reps. Tom McClintock (R-CA) and Reid Ribble (R-WI) (DeSilver 2015).

¹⁰¹ While I do not comment on the efficacy of the HFC agenda here, it is important to note that the strategies adopted by HFC often hinder the function of the legislative branch while the purported procedural goals of the group are, at least in theory, intended to improve some aspects of the legislative process.

When party organization and leaders are not fulfilling their responsibilities to members and the public, members can choose to work together with one and other to affect change.

Congressional Reform in the Contemporary U.S. Congress

The ultimate goal of this project is to identify concrete pathways to institutional change in the static legislative branch. What hurdles do members of Congress face in adopting new rules and procedures? And how can members successfully overcome them? The return of LSOs – or a similar practice in which groups could receive line item appropriations from members’ personal office budgets – will undoubtedly help members overcome some of the significant hurdles to challenging the status quo. But it is not necessary for meaningful group impact. Others have advocated for a set of changes to the rules governing congressional elections, as well as congressional and executive power, in order to improve the function of the legislative branch (Mann and Ornstein 2012).¹⁰² Instead, this project suggests that members in the contemporary U.S. Congress can take small, active steps to increase their capacity to shape leadership pathways, policy outcomes, and procedural rules – steps that are crucial to improving the responsiveness and representativeness of the legislative branch. These effective strategies include:

Learn legislative procedure. Developing legislative expertise is one of the single most important skills for individual members and groups to pursue their policy and procedural reform goals. Party leaders today discourage members from learning about legislative procedure, but the House parliamentarian’s office is a resource available to all members.¹⁰³ While the

¹⁰² For example, Mann and Ornstein suggest a variety of voting reforms, including easing voter registration, holding elections on weekends, and compulsory voting; and instituting citizen-led redistricting commissions, as well as new lobbying rules and restrictions.

¹⁰³ February 16, 2016 in-person interview with former parliamentarian Charles Johnson.

parliamentarian him/herself is a speaker-appointed position, the office's staffers are lawyers who maintain an attorney-client relationship with members and their staff. The office is available to provide orientation sessions for members when they begin their congressional service, to provide legislative strategy advice at their request, and to assist them on the floor. Members should also request (though it may not be granted) to serve as a floor manager for legislation; this provides them with in-depth experience about how complex rules are applied in specific legislative context.

Recruit new members from non-incumbent candidates. Members' allegiances today are often fragmented between many groups and constituencies, which makes agenda-setting difficult (Kernell 1997). Early recruitment of new group members before they are even elected to Congress is one of the most effective strategies to garner member support and loyalty, especially given that few have significant contact with party leaders before or after their initial election to the House. DSG used their early contact with non-incumbent liberal candidates to win their support for leadership races, and influence their votes during consideration of the rules package, prior to the start of each congress. More recently, the HFC has also adopted this strategy. Several recent candidates announced that they plan to seek to join the group if they are elected to Congress, including new Rep. Ralph Norman who was elected in June 2017 to replace new OMC Director (and former HFC member) Mick Mulvaney in South Carolina. One of the HFC's PACs, the House Freedom Fund, contributed to Norman's campaign; Norman announced during the campaign that he planned to join the HFC if he was elected to Congress (Golshan 2017). And as both DSG and the HFC undoubtedly found, non-incumbent candidates with state legislative experience is especially beneficial for groups seeking to shape legislative rules and procedure.¹⁰⁴

¹⁰⁴ Nearly all DSG leaders drew on their prior experience serving in their home state legislatures, and the HFC has been greatly influenced by Rep. Daniel Webster's (R-FL) experience serving as Speaker of the

These members' first-hand experience with legislative procedure in the states will infuse new ideas about congressional organization, and strengthen appeals for support from their colleagues in Congress.

Educate & broker coalitions with interest groups. Member groups should educate likeminded interest groups about the importance of procedural reform for their shared policy goals, and partner with them to support and mobilize their colleagues. These partnerships provide a “trade-off in resources” that simultaneously advantage both members and outside interests (Mann, Stevens and Miller 1973). DSG routinely worked with liberal groups, including the National Committee for an Effective Congress, the AFL-CIO, and the Leadership Conference on Civil Rights, to fundraise on behalf of (non-)incumbent liberal candidates, and to pressure their colleagues to support shared goals. Today, the HFC works closely with outside interest groups like the Heritage Foundation, which has provided a strong public defense of the group's aggressive strategies, and sponsored events on behalf of the group's policy goals.¹⁰⁵ These partnerships are especially important in the contemporary era as congressional reform is not a salient issue for most interest groups. Indeed, while outside groups often have political resources and policy expertise, they rarely possess procedural expertise. Yet, groups constitute a crucial linkage between institutional structures and broader public opinion and cultural shifts outside of Congress (Polsby 2004; Zelizer 2004). Members have a responsibility to work to educate their

Florida legislature (Webster was repeatedly nominated by group member to serve as House Speaker (over Speakers John Boehner (R-OH) and Paul Ryan (R-WI)).

¹⁰⁵ For example, in June 2017, the Heritage Foundation sponsored an event entitled “Principles for Tax Reform: A Conversation with the House Freedom Caucus.” The event featured HFC chairman Rep. Mark Meadows (R-NC), as well as Reps. Dave Brat (R-VA), Warren Davidson (R-OH), and Jim Jordan (R-OH). The Heritage Foundation's former chairman, former Sen. Jim DeMint, regularly used his position to defend the “small band of conservative House members [who] had the audacity to challenge the status quo in Congress” (2015).

natural group allies about the importance of procedural reform in the pursuit of their shared policy goals.

Develop an information service. The development of a group information service is an especially effective strategy for groups interested in garnering support from members and inserting policy and procedural issues onto the agenda. Liberals used DSG's information and research services as a selective benefit to encourage members to pay yearly dues, to promote their participation in debate on the floor, and to persuade them to support specific procedural reforms. Members today are still in need of a single, trusted source of information, which is not provided by committee or party leaders (Curry 2015). A 2017 survey by the non-partisan Congressional Management Foundation found that members do not have enough resources to participate in the policymaking process, staff "knowledge, skills, and abilities" were insufficient to perform their jobs, and Congress needs to "improve member and staff access to high quality, nonpartisan policy expertise within the legislative branch" (Akin 2017). Member groups can develop and marshal legislative resources such as these to incentivize membership, and as well as to promote participation in the legislative process. Member-generated information is not only the most trusted information source in Congress (Kingdon 1984), but it is especially valuable in the information age: "Information [framed] specifically around pending votes, in a timely fashion, and in language and terms that worked for legislators," as political scientist Norm Ornstein described (Klein 2011), would fill a vital information vacuum in the House. Members are perennially busy and have little time to expend pursuing issues with no immediate pay-off or pressing deadline (which in part explains why re-election activities are often members' top priority (Mayhew 1974)). Legislative rules and procedures epitomize low-salience issues for most members; group-generated research and information services provides a mechanism through members' attention and energy can be refocused on necessary congressional reforms.

Link congressional reform to members' personal goals. And finally, groups will be more effective at persuading other members to support congressional reform if they link specific rules changes to members' personal goals (Fenno 1973), rather than broad principles of “good government” or personality conflicts between members. DSG carefully crafted its arguments and circulated research to inform members about the impact of specific rules reforms on their own pursuit of leadership positions, their prospects for re-election, and their ability to advocate on behalf of their own and their constituents' policy goals. None of the 1970s reforms were adopted under the pretense of improving small-d democracy or to settle personal conflicts between members. Indeed, despite their legitimate claims about the diminished role of committees and rank and file participation opportunities, the aggressive, at times hostile, strategy pursued by the HFC has limited support among their Republican colleagues who may have otherwise supported them. The HFC's arguably personal vendetta against Speaker John Boehner (R-OH) harmed the “party brand,” potentially risking members' electoral goals (Mayhew 1974; Cox and McCubbins 2005). Groups interested in promoting congressional reform need to persuade their colleagues that rules changes are in their personal interest if they want to garner their support.

This project reveals concrete ways that members can work towards the pluralistic ideal enshrined by the founders in American political institutions, and oft-championed by American political theorists (Dahl 1961; Truman 1951; de Tocqueville 1835). Pluralism requires the representation of multiple, diverse interests in the policymaking process – preconditions poorly served by the two-party system, the sharp rise in partisan polarization and ideological homogeneity, and the centralization of party power. The declining competitiveness within and between the two parties obscures the crucial role that members themselves play in promoting informed, substantive debate about the best way to approach and solve national policy problems. Members are not passive actors subservient to a very specific set of institutional conditions; they

have a responsibility and agency to affect the structure, leadership, and outcomes, of the legislative branch.

The recent rise of the House Freedom Caucus has led many observers of Congress to question the power wielded by a minority coalition of arch conservatives whose views are unrepresentative of the majority of Republicans or the public (Schrjock 2015). Yet this view of group power and representation obscures a significant factor in the declining competition between party groups – few factions in either party are organized. The HFC is unusual because its members have committed significant effort to develop their capacity to work together to challenge their party leaders and the status quo in Congress. Its emergence has merely crystallized the absence of a moderate Republican alternative outside of the leadership.¹⁰⁶

Ultimately, the 1960s and 1970s reforms are the product of increased competition between party groups. Liberals were empowered to serve as critical ‘agents’ of change in Congress because strategically chose to focus on developing their own organization in DSG to advocate on behalf of their collective interests. Absent a numerical majority in Congress, organization increased liberal Democrats’ competitiveness with the conservative faction in the party and their party leaders (Key 1964). If members today want to insert new issues onto the agenda, build legislative coalitions in support of their policy goals, overcome potential leadership opposition, cast more informed votes, and increase participation opportunities in the legislative process, they need to be organized. The timing, scope, and direction, of future institutional changes – as well as engaged, meaningful policy debates – in the House of Representatives requires conscious group coordination, member participation, and strong leadership.

¹⁰⁶ The moderate Tuesday Group might play this moderating role (Cadei 2017), although its relatively amateur organization may stem their capacity to serve as a “counterbalance” to the HFC (for example, the group does not make policy endorsements regardless of how unified the membership).

Next Steps: Future Research on the Dynamics of Institutional Change

I would be remiss if I did not conclude with a brief discussion of future research avenues. The methods, data, and analyses employed in this study of institutional change in the U.S. House emphasized the details, context, and content, that is often obscured in other research approaches. Perhaps not surprisingly, this approach generated many new research questions along the way. Others inevitably got pushed aside. Two of these questions deserve closer investigation in future work.

The Role of State Legislatures. One of the more unexpected questions raised throughout this project concerns the role of state legislatures as ‘laboratories of democracy’ for procedural reform. As a scholar of the U.S. Congress who views politics through a national lens, I expect that state legislatures should take their institutional and structural cues from the U.S. Congress, rather than the other way around. And indeed, this is congruent with some research on state legislative reforms adopted in the 1970s and beyond (Squire 2012; Caldwell 1947). Instead, this project has raised questions about the key role of state legislatures in shaping the U.S. Congress. Archival documents and interviews repeatedly suggested that members’ experience serving in their home state legislature motivated their interest and preferences on procedural reform.

Meeting minutes, Dear Colleague letters, congressional testimony, and speeches on the House floor reveal that members drew on firsthand experiences in their home state legislatures to develop and persuade their colleagues to support specific legislative reforms. Up-or-down votes on committee chairs and electronic voting, for example, were first “tested” in legislatures like Colorado, Minnesota, and California. Members drew on their own legislative experience to

advocate for other proposals, including term limiting or rotating committee chairs.¹⁰⁷ The members most likely to be interested in procedure were those who had served in highly professionalized legislatures that simply functioned better than the U.S. Congress.¹⁰⁸ And of course, a cursory review of the members who were the most active reform leaders in the 1960s and 1970s, and drafted specific reforms, reveals that nearly every single one had some state legislative experience.

Ultimately, this anecdotal evidence is not surprising given that state legislatures professionalized long before the Congress, and it was not uncommon for members to return home to continue serving in their home state legislature after a few years of congressional service (Smith and Lyons 1977). In more recent years, the House Freedom Caucus has relied on members' state legislative experience to advocate for specific reforms in Congress. HFC member and former Florida House Speaker Daniel Webster (R-FL) has argued for adopting many of the same institutional changes he pushed in Florida, including eliminating subcommittees and decentralizing control of the floor schedule (DeBonis 2015). It seems likely that state legislative experience not only motivates members' interest in legislative procedure, but that state legislatures provide a testing ground for major institutional changes in the U.S. Congress. Thus, I expect that historical and contemporary reform efforts in both parties will be led disproportionately by members with prior state legislative experience; that most rule and procedural reforms adopted by the House will initially be adopted in state legislatures; and that members will use their own and their colleagues' experience in specific state legislatures as evidence to persuade members to support reform efforts. In theory, this could suggest a parallel

¹⁰⁷ Republicans eventually adopted term limits on committee chairs.

¹⁰⁸ August 6, 2015 in-person interview with leadership staffer. In a November 20, 2015 interview with Congressman Martin Olav Sabo (D-MN), he recalled observing the Appropriations process in the House for the first time and realizing that it was much better organized in his home state of Minnesota. Sabo pointed to the ability of members to offer amendments on the floor to appropriations bills as particularly problematic.

theory of institutional change in Congress with procedural reform as a function of reform efforts in state legislatures and the proportion of majority party members with state legislative experience.

Group Organization in the U.S. Senate. One obvious extension of this research is to examine the role of group organization in enabling group influence in the U.S. Senate. At the beginning of this project, it seemed unlikely that the theory offered here would hold in the upper chamber. Junior members do not face the same hurdles to influence in the Senate as they do in the House – nearly all majority party senators chair a subcommittee or committee (and by extension, nearly all minority party senators serve as a ranking member); the smaller size of party caucuses ensures that all senators can secure a meeting with their party leaders; all senators enjoy outsized media attention and a significant public platform; and Senate rules (e.g. the filibuster) provide stronger minority protections (Sinclair 1989; Koger 2010). These features strongly suggest that not only are the incentives for members to band together through group organization simply not present in the Senate as they are in the House, but that organization might actually be contrary to their interests. The filibuster, the muddled role of committees, and the inherently disorganized legislative process that empowers individual senators to shape legislation on the floor, suggests that formal, conscious coordination with their likeminded colleagues might make individual senators less powerful.

Throughout this project however, anecdotal evidence has emerged to challenge this assumption. Historically, senators faced many of the same hurdles as junior House members, including informational and power asymmetries with their more conservative colleagues who chaired key committees and/or had access to information that they did not. Some of the policy areas examined in this research (see chapter 7) provide evidence that groups of senators banded together to develop and share information resources, and build relationships with key allies inside

and outside of Congress.¹⁰⁹ Instead, it seems likely that group organization simply looks different than it does in the House, but is no less important.

I expect that organizational mechanisms, tools, and resources will be important in the Senate, but the groups themselves will be less formalized (lacking a designated name), have a shorter tenure (often lasting no longer than a few years), will be more bi-partisan (reflecting existing Senate rules and norms), and as a result, have a narrower agenda (reflecting fewer areas of ideological agreement). In recent years, popular perceptions of the Senate have dominated by “gangs” of 6 or 8 (or some other such number) that emerge every couple of years to work on legislation in a narrow policy area (Bolton 2009; Calmes 2011; Ornstein 2015; Gehrke 2015). Today, Republican senators share many of the same frustrations as Freedom Caucus members about the inability to participate in shaping key legislation; Majority Leader Mitch McConnell’s (R-KY) 2017 health-care bill drafting process is merely the most recent example (Sullivan 2017).

¹⁰⁹ Among these policy areas are defense policy, including the Nixon era military budget work and the Reagan era policy of reflagging Kuwaiti oil tankers.

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Appendices

Detailed information on the concepts and variables employed in the statistical models throughout the previous pages, as well as additional archival materials, are detailed below.

Appendix 1

Information on the coding, measurement and data sources for the dependent and independent variables used in the analyses presented in Table 3.1 (pg. 74) are detailed below.

The following district-level variables were collected from the Scott Adler's Congressional District Dataset (based on the 1960 U.S. Census): Black population is an interval variable measuring the percent of African-Americans in a member's district. Blue collar is an interval variable measuring the percent of individuals employed in blue collar professions in the district. Union membership is an interval variable measuring the percent of district residents who are union members. Unemployed is an interval variable measuring the percent of unemployed individuals in the district. Urban is an interval variable measuring district density, or the percent of residents that reside in an urban area of the district.

The following variables were collected from the Congressional Research Service: Non-white is a dichotomous variable coded 1 if the member identifies as non-white (0 otherwise). Female is a dichotomous variable coded 1 if the member identifies as female (0 otherwise).

The following variables were collected from *CQ Almanac*: *Seniority* is an interval variable measuring the number of years a member has served in the House (the mean number of years served is 10, or about 5 terms). *Party Unity* is an interval variable measure the percent of votes (ranging from 0 to 100) that a member votes with a majority of their party against a majority of the opposing party. *Committee Leader* is a dichotomous variable, coded 1 if the member serves as a full committee or subcommittee chair in that Congress (0 otherwise). *Marginal Seat* is an interval variable measuring the percent of the vote the member received in their district in their most recent election to the House. Data for this variable was collected from the CQ Voting and Elections Collection.

Appendix 2

Information on the coding, measurement, and data sources for the dependent and independent variables used in the analyses presented in Table 4.1 (pg. 132) are detailed below.

The following variables were collected via *CQ Almanac*: *Attendance* (dependent variable) is an interval variable measuring the percent of all roll call votes in which a member voted "yea" or "nay." This variable is a proxy measure of a member's floor attendance because members must be present on the floor in order to be recorded as "yea" or "nay." *Committee Leader* is a dichotomous variable, coded 1 if the member serves as a full committee chair in that Congress (0 otherwise). *Subcommittee Leader* is a dichotomous variable, coded 1 if the member serves as a subcommittee chair in that Congress (0 otherwise). *Seniority* is an interval variable

measuring the number of years a member has served in the House (the mean number of years served is 10, or about 5 terms). Members who had served less than one year in a given Congress were recorded as having served one full year. *Party Unity* is an interval variable measure the percent of votes (ranging from 0 to 100) that a member votes with a majority of their party against a majority of the opposing party.

The following variables were collected from the 87th and 93rd Congressional District Data Book: *Urban Population* and *African-American Population* are interval variables that measure the percent population of a member's district that lives in urban areas or identifies as African-American, respectively. The data reflect the district demographics during the 1960 and 1970 Census data. District Distance is a dichotomous variable, coded 1 if the member's district is located more than 1000 miles away from Washington, D.C. (0 otherwise). In the rare cases where parts of a member's district is located less than 1000 miles away and other parts are located more than 1000 miles away from the capitol, the variable was coded based on the location and distance of a majority of their district. District boundaries were collected from the Data Books, but the distance between the district and D.C. was calculated from Google Maps.

The following variables were collected from the Congressional Research Service: *African-American* is a dichotomous variable coded 1 if the member is African-American (0 otherwise). *Female* is a dichotomous variable coded 1 if the member is female (0 otherwise). These variables are coded based on data presented in "African American Members of the United States Congress: 1870-2012 (November 26, 2012, Jennifer E. Manning and Colleen J. Shogan) and "Women in the United States Congress, 1917-2014: Biographical and Committee Assignment Information, and Listings by State and Congress" (October 31, 2014, Jennifer E. Manning and Ida A. Brudnick).

The following variables were collected from the DSG Papers at the Library of Congress: *DSG Member* is a dichotomous variable coded 1 if the member is a dues-paying member and/or whip target of the Democratic Study Group (0 otherwise). *DSG Leader* is a dichotomous variable coded 1 if the member served on the DSG executive committee in a given Congress (0 otherwise). DSG bylaws mandated that leaders rotated every two years (leaders could not hold consecutive leadership positions).

Appendix 3

Information on the coding, measurement and data sources for the dependent and independent variables used in the analyses in chapter five are detailed below.

The following variables were collected via CQ Almanac: *Whip* is a dichotomous variable, coded 1 if the member serves as a Democratic whip in that Congress (0 otherwise). *Committee Leader* (Dependent variable in Table 5, model 2) is a dichotomous variable, coded 1 if the member serves as a full committee chair in that Congress (0 otherwise). *Subcommittee Leader* (Dependent variable in Table 5, model 1) is a dichotomous variable, coded 1 if the member serves as a subcommittee chair in that Congress (0 otherwise). *Seniority* is an interval variable measuring the number of years a member has served in the House (the mean number of years served is 10, or about 5 terms). *Party Unity* is an interval variable measure the percent of votes

(ranging from 0 to 100) that a member votes with a majority of their party against a majority of the opposing party.

The following variables were collected from the Congressional Research Service: *African-American* is a dichotomous variable coded 1 if the member is African-American (0 otherwise). *Female* is a dichotomous variable coded 1 if the member is female (0 otherwise). *Non-white* is a dichotomous variable coded 1 if the member identifies as Latino(a), Asian-American, or African-American (0 otherwise).

The following variables were collected from various data sources (as identified below): *Legislative Entrepreneurship* is an interval variable measuring members' legislative activity in the immediately preceding congress. I collected data on the number of bills a member served from Congress.gov, and lagged it by one year to create a measure of legislative entrepreneurship. Thus a member who introduced 5 bills in the 96th Congress would receive a score of 5 for the 97th Congress. If the member served non-consecutive terms in the most recent Congress, the variable reflects the number of bills introduced in their most recent term in the House. Freshman members receive a value of 0 on this variable. *District Marginality* is an interval variable measuring the percent of the vote the member received in their district in their most recent election to the House. Data for this variable was collected from the CQ Voting and Elections Collection. *DSG Leader* is a dichotomous variable measuring members' prior service on the executive committee (1= DSG leader, 0 otherwise). I collected executive committee membership lists from the DSG papers at the Library of Congress in Washington, D.C., and created a lagged variable measuring whether a member served on the executive committee in a prior Congress.

Appendix 4

The full text of the 14-point plan developed by DSG in support of the 1970 Legislative Reorganization Act (referenced in chapter 6, pg. 279) is reprinted below.

1. Letter from DSG Executive Committee "calling attention to crucial importance of the Legislative Reorganization bill and the dangers involved, etc. Letter would note that DSG has undertaken top priority effort to "democratize" the House and prevent adoption of amendments which would worsen the situation. Letter would announce questionnaire and cooperation."
2. Questionnaire to be sent at same time or immediately after Executive Committee letter.
3. "Meeting with DSG AA's shortly after mailing of questionnaire to solicit their assistance in getting their Members to cooperate, etc."
4. "As soon as possible, request leadership to schedule bill at least three weeks in advance so that Members can arrange schedule to be on hand during amending process
5. "Report from DSG Congressional Reform Task Force calling on House to end secrecy and undemocratic procedures. Report should be geared to obtain maximum news and editorial attention."
6. Activate press organizations and other groups to stimulate local editorials urging their Congressman to be on hand and support reform measures, etc.
7. Make discussion of proposed amendments, etc., top item at June 16 DSG Meeting.
8. Activate liberal, labor, student and peace groups to lobby for reform measures, especially record vote in the Committee of the Whole."

9. DSG Fact Sheet on bill and Special Report on Records Votes in Committee of the Whole.
10. Tabulate and publicize (if beneficial) questionnaire results.
11. Assign Members to teams responsible for various amendments in accordance with preferences indicated on questionnaire.”
12. Set up special “buddy-type” whip system.
13. Conduct whip check to ascertain which Members will be present, etc.
14. “Pray”

Source: “Proposed Plan Of Action,” DSG Papers, Library of Congress, Washington, D.C., Part II, box 114, folder 8.

Appendix 5

The full list of formal policy endorsements undertaken by DSG in the 1960s and 1970s (referenced in chapter 7, pg. 334) is reprinted below.

| <u>Congress</u> | <u>Legislation</u> |
|---------------------------------|--|
| 1960 | <ol style="list-style-type: none"> 1.Social Security Amendments (HR 12580) 2.Area Redevelopment Bill (S722) 3.Civil Rights Bill 4.Interests on Long-Term Government Bond (Oppose) |
| 87 th (1961-1962) | <ol style="list-style-type: none"> 1.Administration Education Bill 2.Atomic Energy Authorization (HR 7576) 3.Administration Housing Bill 4.Area Redevelopment Act (S 1) 5.D.C. Home Rule 6.Manpower Development & Training Act (S 1991) 7.Welfare & Pension Plans Disclosure (HR 8723) |
| 88 th (1963-1964) | <ol style="list-style-type: none"> 1.Community Mental Health Centers 2.Higher Education Facilities Bill (HR 6143) 3.D.C. Omnibus Crime Bill (HR 7525) 4.Reorganization Act Extension (HR 3496) 5.Accelerated Public Works Bill (HR 11579) 6.Downtown Urban Renewal in DC (HR 6177) 7.Amendments to Foreign Assistance Act (HR 7885) |
| 89 th (1965-1966) | <ol style="list-style-type: none"> 1.National Teacher Corps 2.D.C. Home Rule Bill 3.Labor-HEW Appropriations 4.Immigrant Act Amendments 5.Public Works & Economic Development Act 6.Repeal of Taft-Hartley Section 14(b) (Oppose) 7.Voting Rights Bill 8.D.C. Minimum Wage 9.Housing and Urban Development Department Act of 1965 |

10. Bill to establish HUD Department
11. Extension of Reorganization Act of 1949
12. Food Stamp Program
13. Poll Tax Ban
14. Medicare Program
15. Older Americans Act
16. Elementary and Secondary Education Act
17. Inter-American Development Bank Bill
18. Mortgage Insurance for Group Practice Facilities Bill
19. Indiana Dunes Bill
20. Civil Rights Bill (amendments to Title V, criminal interference with rights)
21. Rent Supplement Program

90th
(1967-1968)

1. OEO Authorization Bill
2. HUD Appropriations Bill
3. Rat Extermination Act
4. Appalachian Regional Development Act
5. Civil Rights Act
6. D.C. Reorganization Plan
7. Amendments to Law Enforcement Act
8. Atomic Energy Commission Authorization
9. Busing Amendment
10. Housing Amendment
11. Civil Rights Amendments
12. EEOC Amendment
13. Off-shore Oil Leases Amendment
14. HUD Appropriations Bill
15. Civil Rights Bill

91st
(1969-1970)

1. Aviation Facilities Expansion Act
2. Education Funding Amendment
3. Amendments to Export Control Act
4. Amendments to Public Broadcasting Act
5. Amendment to Clean Water Act
6. Amendment to Student Loan Act
7. Antibusing Amendment (Oppose)
8. Installment Loan Interest Bill (Oppose)
9. Amendment to HUD Appropriations
10. Amendments to Cigarette Smoking Act Legislation
11. Amendments to Medical Facilities Act
12. Civil Rights Amendments
13. Amendments to Education Act
14. Draft Reform Amendment (Oppose)
15. Education Veto Override
16. HUD Veto Override
17. Expansion of Voting Rights Act
18. Vote for 18-year olds
19. Amendments to Labor-HEW Appropriations

- | | |
|------------------------------|---|
| | 20.Civil Rights Commission Funding |
| | 21.SST Amendment |
| | 22.Military Sales Act Amendment |
| 92 nd (1971-1972) | 1.Equal Employment Opportunities Act 2.Emergency Detention Act 3.Members Allowances Resolution 4.South African Sugar Quota 5.Emergency Employment Bill 6.Hospital and Medical School Grants Bill |
| 93 rd (1973-1974) | 1.Appointment of a Special Prosecutor 2.D.C. Self-Government Act 3.Mutual Cooperation and Development Act 4.Amendments to Labor-HEW Appropriations 5.Tax Reform Amendments 6.Vietnam Fund Cutoff Amendment 7.Budget and Impoundment Control Bill 8.Foreign Disaster Assistance Act |

Source: "DSG Policy Endorsements by Congress, 86th – 93rd Congresses," DSG Papers, Library of Congress, Washington, D.C., Part II, box 151, folder 6.